

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22357 of 2016

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Rajesh Kumar son of Lallu Baitha Resident of village - Kharaundhi More
Bhawanathpur, Police Station - Bhawanathpur, District - Garhwa Jharkhand.
At present Quarter No. N.H. 3B 295 Rihand Bijpur, Police Station - Rihand
Bijpur, District - Sonbhadra U.P.

... .. Petitioner/s

Versus

1. State Of Bihar
2. Arti Kumari wife of Rajesh Kumar, daughter of Chandradeo Prasad resident
of village - Jankop, Police Station - Barun, District - Aurangabad.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sajid Salim Khan, Adv.
		Mr. Yasir Ashraf, Adv.
For the Opposite Party/s :		Mrs. Sucheta Yadav, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 13-02-2026 Learned counsel for the petitioner is present and he is
heard.

2. The petitioner has challenged the order dated
30.01.2015 passed in Misc. Case No. 21 of 2011 by the learned
Principal Judge, Family Court, Aurangabad whereby the
petitioner's application to recall the distress warrant issued
against him was not allowed and the petitioner has prayed for
quashing the said order.

3. It is submitted by the petitioner's counsel that
petitioner is continuously paying maintenance amount awarded
in favour of the O.P. No.2 by the Family Court.

4. No one appears on behalf of the O.P. No.2.



5. Learned counsel for the petitioner has not satisfied this Court that no maintenance amount was due from him on 15.12.2014, when the distress warrant for realization of the said amount was issued against him. Therefore, there was no illegality in the issuance of such distress warrant against the petitioner. Accordingly, I find no illegality in the impugned order and there is no merit in this petition. Thus, it stands dismissed.

(Shailendra Singh, J)

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