

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**  
**Cr.M.P. No. 1902 of 2021**

Nageshwar Mahto

..... Petitioner

**Versus**

The State of Jharkhand & Anr.

..... Opp. Parties

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**CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI**  
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For the Petitioner

: Mr. Nipun Bakshi, Advocate

For the State

: Mrs. Nehala Sharmin, A.P.P.

**02/Dated: 03/09/2021**

This petition has been heard through Video Conferencing in view of the guidelines of the High Court taking into account the situation arising due to COVID-19 pandemic.

Learned counsel for the petitioner submits that an application was filed under section 125 of the Cr.P.C. by O.P. No. 2- Mani Devi claiming maintenance from the petitioner that their marriage was solemnized in the year, 1970 when she was 2-3 years old and the petitioner was 5-6 years old. She also alleged that a son was born out of this wedlock. He further submits that the Court has proceeded ex-parte by order dated 18.08.2016. The petitioner is not being allowed to lead evidence and the recall petition has been rejected.

In view of the aforesaid facts, let notice be issued upon the O.P. No. 2 under registered cover with A/D as well as by ordinary process for which requisites etc. must be filed within two weeks.

Post the matter on 22.11.2021.

Till the next date, there shall be stay of further proceeding in connection with Maintenance Case No. 171 of 2014 pending in the Court of learned Principal Judge, Family Court, Ramgarh.

Let a copy of this order be communicated to the concerned court at the cost deposited by the petitioner.

**(Sanjay Kumar Dwivedi, J.)**

Satyarthi/