

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31728 of 2016

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Ravi Kumar Chaudhary S/o late Rajiv Kumar Chaudhary resident of
Mohalla - N.P. Mishra Chowk, Balbhadrapur, P.S. Bahadurpur, District -
Darbhanga.

.... Petitioner

Versus

1. The State of Bihar.
2. Mala Devi D/o Late Balmiki Chaudhary resident of mohalla - Housing
Board Colony, P.S. Laheriasarai, District - Darbhanga.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Dharmendra Jha, Advocate.
For the Opposite Parties : Sri Akbar Ali, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 17-08-2016 Heard both sides.

The petitioner filed this petition for quashing the order dated 24.06.2016 passed by the learned Principal Judge, Family Court, Darbhanga in Maintenance Case No. 61 of 2010, whereby the petitioner was directed to pay Rs. 80,000-90,000/- at a time to his wife on or before 25.07.2016.

Learned counsel for the petitioner submits that the petitioner is ready to pay the maintenance amount to his wife provided his wife may furnish bank accounts.

It appears that the learned Principal Judge, Family Court, Darbhanga vide his order dated 07.09.2013, directed the petitioner to pay a sum of Rs. 2500/- per month to his wife for her

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maintenance. The petitioner moved before this Court in Cr. Rev. No. 1084 of 2013, assailing the order dated 07.09.2013 on the ground that Mala Devi is not the wife of the petitioner but the aforesaid Cr. Rev. No. 1084 of 2013 was dismissed vide order dated 26.03.2015 with a direction that the court below shall ensure that the petitioner deposits entire arrears immediately, if not, stringent steps shall be taken against him. But, after more than 2½ years the petitioner has not given a single farthing to his wife as maintenance even the court directed to pay the arrears of maintenance in cash, the petitioner refused to pay on the pretext that the wife did not furnish bank accounts.

I find that the reason for non-payment is not at all acceptable and I do not find any reason to interfere with the order impugned by which the petitioner has been directed to pay the entire arrears of maintenance to his wife.

Accordingly, this quashing petition is dismissed.

(Prabhat Kumar Jha, J.)

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