

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.784 of 2016

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Abdul Karim @ Abdul Karim Mian, son of Late Abdul Hakim, resident of village Line Bazar (Sangrampur Bazar), Police Station Phulwariya, District Gopalganj

.... Petitioner

Versus

Mustari Khatoon, wife of Abdul Karim Mian, daughter of Nazir Husain, resident of village Umar Mathia, Police Station Majhahgarh, district Gopalganj

.... Respondent

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Appearance :

For the Petitioner : Mr. Uday Pratap Singh

For the Respondent : Mr. Dhananjay Kumar
Mr. Sunil Prasad

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER**

3 15-03-2017 Heard learned Counsel for the parties
concerned.

By the impugned order, dated 15.06.2016, passed by learned Principal Judge, Family Court, Gopalganj, in Maintenance Case No. 502 of 2013, whereby the petitioner has been directed to pay a sum of Rs. 7,000/- to the opposite party for her monthly maintenance allowance, under Section 125 of the Code of Criminal Procedure, 1973, with effect from the date of filing of the application.

I have perused the impugned order. The learned Court below has taken into account the evidence adduced in the proceeding under Section 125 of the Code



of Criminal Procedure, 1973. It appears that the petitioner did not present himself for his evidence.

It also transpires that the petitioner has contracted second marriage.

Learned Counsel for the petitioner has submitted that the petitioner could not appear because he was working abroad at that point of time.

Upon careful examination of the impugned order, I do not find any legal infirmity, requiring this Court's interference.

This application has no merit and is accordingly dismissed.

It will, however, be open to the parties to apply for alteration of the monthly maintenance amount by invoking Section 127 of the Code of Criminal Procedure, 1973.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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