

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.565 of 2016

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Shambhu Jha, Son of Ghuran Jha, Resident of Larkaniya Tola Gardpara, P.
S. Katihar, District-Katihar.

.... Petitioner/s

Versus

1. The State of Bihar
 2. Bauby Rani Jha, wife of Shambhu Jha, D/o Arjun Jha, Resident of Officer Colony, Ward No. 7, P. S. Sahayuak Katihar, District Katihar
 3. Bhavna Kumari, D/o Shambhu Jha,
 4. Raja Dksha, S/o Shambhu Jha
 5. Sonakshi Kumar, a D/o Shambhu Jha,
- Opp. Party No. 3 to 5 are under natural guardian of their mother Bauby Rani Jha, Resident of Officer Colony, Ward No.7, P. S. Sahayak Katihar, District Katihar

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ravi Shankar Kumar
For the Respondent/s : Mr. Nand Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 06-02-2017 No one appears on behalf of the petitioner.

2. Let the petition be treated to have been filed under Section 19(4) of the Family Court's Act and provision of law be corrected by the Office.

3. The petitioner is the husband of Opposite party No.2. Opposite party Nos. 3 and 5 are daughters of the petitioner and Opposite Party No.4 is son of the petitioner.

4. The petitioner is aggrieved by an order, dated 05.04.2016 passed in Maintenance Case No. 1169 of 2014, whereby the learned Principal Judge, Family Court, Katihar, has allowed maintenance of a sum of Rs. 3,000/- (three thousand) per month, in exercise of power under Section 125



of the Code of Criminal Procedure, 1973.

5. From the impugned order, I find that marriage of the petitioner with Opposite party No.2 is not in dispute. The Opposite party No.2 is living with three children at her parental house. In such circumstance, interim maintenance of Rs. 3,000/- per month as allowed by the learned Principal Judge, Family Court, Katihar, cannot be said to be excessive or otherwise unjustifiable.

6. This application has no merit and it is, accordingly, dismissed.

(Chakradhari Sharan Singh, J)

ArunKumar/-

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