

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.30 of 2015

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1. Umesh Prasad Chaurasia @ Umesh Pd. Chaudhari Son of Shiv Bachan Bhagat, Resident of Village - Bhawanipur, Police Station -Sri Nagar (Pujaha), District - West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Dhanwanti Devi Wife of Umesh Prasad Churasia, Daughter of Harihar Prasad Chaurasia, Resident of Village - Beldarwa, Police Station - Aadapur, District - East Champaran.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ram Kishun Prasad

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

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH
ORAL ORDER

3 28-02-2017

I. A. No. 72 of 2015

This application has been filed by the petitioner, under Section 5 of the Limitation Act, seeking condonation of delay of 633 days in preferring the present criminal revision application, against the order, dated 16.03.2013, passed by learned Principal Judge, Family Court, East Champaran, at Motihari, in Maintenance Case No. 110 of 2012.

Having considered the reasons assigned in the present petition seeking condonation of delay, this Court is satisfied that the petitioner was prevented by sufficient causes from preferring the application within time.



In view of the above, the delay of 633 days, in preferring the present criminal revision application, is hereby condoned.

I.A. No. 72 of 2015 stands allowed.

CRIMINAL REVISION NO. 30 OF 2015

By order, dated 16.03.2013, passed by learned Principal Judge, Family Court, East Champaran, at Motihari, in Maintenance Case No. 110 of 2012, the petitioner has been asked to pay a sum of Rs. 3,000/- to Opposite Party No. 2, under Section 125 of the Code of Criminal Procedure, 1973.

The quantum of maintenance allowance fixed by the learned Court below by the impugned order cannot be said to be unreasonable or excessive in the facts and circumstances of the case. The impugned order, dated 16.03.2013, therefore, does not require any interference.

This application is accordingly dismissed.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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