

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.44 of 2015

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Amar Kumar @ Amarnath, son of Late Prakash Gope, resident of village Chhabilatar, Police Station Pandarak, District Patna

.... Petitioner/s

Versus

1. The State of Bihar
 2. Sita Devi, daughter of Ram Nandan Singh, wife of Amar Kumar, resident of village Chhabilatar, Police Station Pandarak, District Patna
- Respondent/s
- =====

Appearance :

For the Petitioner : Mr. Manish Kumar No-2
For the State : Ms. Renu Kumari(App)
For O. P. No. 2 : Mr. Harish Kumar

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

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

By order, dated 27.11.2014, passed, in Maintenance Case No. 135 (M) of 2004, by learned Additional Principal Judge, Family Court, Patna, the petitioner has been asked to pay a sum of Rs. 3,000/- as monthly maintenance allowance in favour of Opposite Party No. 2 , who is admittedly his wife, in exercise of power under Section 125 of the Code of Criminal Procedure, 1973.

Learned Counsel for the petitioner has submitted that the Opposite Party No. 2 has left her matrimonial house out of her own sweet will and,



therefore, she is not entitled for the maintenance allowance.

I have perused the impugned order. I do not find any illegality in the impugned order, there being no dispute over the relationship of husband and wife between the petitioner and the Opposite Party No. 2. The amount of monthly maintenance allowance, in my view, cannot be said to be on higher side.

This application has no merit and it is accordingly dismissed.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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