

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.16 of 2017

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1. Bhupendra Sah Son of Raj Vanshi Sah Resident of Village-Shitalpatti,
P.S. Dhaka, District-East Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh

For the Respondent/s : Mr. Sri Vinod Shankar Modi

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 04-04-2017 Heard learned counsel for the parties.

2. By an order, dated 24.10.2016, passed in Maintenance Case No. 175 of 2012, in exercise of power under Section 125 of the Code of Criminal Procedure, 1973 (hereinafter referred to as the **Code**), learned Principal Judge, Family Court, East Champaran has allowed the monthly maintenance allowance at the rate of Rs. 4,000/- per month for maintenance of Opposite party No.2 and two minor children.

3. The petitioner is admittedly husband of Opposite party No.2. This is not in dispute that two children are their minor children.

4. The Court below has directed payment of a sum of Rs. 2,000/- per month for maintenance of wife and Rs. 1000/- each for



the children.

5. Learned counsel appearing on behalf of the petitioner has submitted that he does not have sufficient source of income to pay much that amount.

7. I have perused the impugned order. The learned court below has observed that the petitioner had attempted before the Court below to conceal his real income.

8. In any view of the matter, grant of maintenance at the rate of Rs. 4,000/- per month for three persons cannot be said to be unjustifiable.

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

10. It is also observed that Respondent No.2 shall be at liberty to apply for enhancement of the amount before the Court below under Section 127 of the Code.

(Chakradhari Sharan Singh, J)

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