

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.1183 of 2016

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1. Rabindra Pandey @ Ravindra Pandey Son of Jitan Pandey, Resident of village - Mukandpur, P.S. Charpokhari, District - Bhojpur

.... Petitioner/s

Versus

1. The State of Bihar

2. Suman Devi, Wife of Ravindra Pandey, Resident of village - Mukandpur, P.S. Charpokhari, District - Bhojpur at present daughter of Shambhu Kumar Pandey, village + POst - Balua, P.S. Krishnagarh, District - Bhojpur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra

For the Respondent/s : Mr. Sri Nagendra Prasad

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 09-05-2017 By impugned order, dated 26.07.2016, passed in Maintenance Case No. 213 of 2008, learned Principal Judge, Family Court, Bhojpur, Ara has allowed monthly maintenance allowance @ Rs. 10,000/- under Section 125 of the Code of Criminal Procedure for maintaining opposite party no. 2 and their two minor children. A sum of Rs. 10,000/- has been directed to be paid by the petitioner to opposite party no. 2 as litigation cost.

Learned counsel for the petitioner has submitted that the petitioner does not have sufficient income to part with a sum of Rs. 10,000/- per month, for maintaining his wife and two minor children and on that ground, he seeks interference in the impugned order.



In response to a query, made by this Court, learned counsel for the petitioner has submitted that petitioner possesses an MBA degree received from a private institution and he is working in Calcutta.

By no stretch of imagination, the amount, fixed by the court below @ Rs. 10,000/- per month, for maintenance of opposite party no. 2 and two minor children, born out of wedlock between the petitioner and opposite party no. 2, cannot be said to be on the higher side, requiring interference.

The application has no merit and is, accordingly, dismissed.

(Chakradhari Sharan Singh, J.)

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