

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.848 of 2015

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1. Anup Kumar son of Sri Deo Kumar Prasad, Resident of Village -
Rahthua, P.S. - Brahmpur, District - Buxar.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Kumari Priya Daughter of Sri Keshav Prasad, C/o Ram Sevak Rai,
Sadbhawna Sadan, janta Road, Purani Jakkanpur, P.S. - Gardanibagh,
District - Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Naresh Chandra Verma

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

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

9 17-09-2018

This revision application has been preferred by the revisionist – petitioner against the order dated 3.8.2015 passed by the learned Additional Principal Judge, Family Court, Patna in Cr. Misc. No. 2 of 2015, by which, the maintenance amount of Rs. 4,000/- has been enhanced to Rs. 8,000/-per month on an application under Section 127 of the Criminal Procedure Code.

It appears that in decree of divorce, the revisionist-petitioner was directed to pay total amount of Rs. 7,00,000/- to opposite party no. 2 as permanent alimony and pursuant thereof, an amount of Rs. 7,00,000/- has been deposited by way of cheque and as such it is for the opposite party no. 2 to elect as to whether she wants the maintenance or is ready for one time settlement by



way of permanent alimony.

After some argument, learned counsel for the revisionist-petitioner has submitted that he is ready to give Rs. 7,00,000/- as permanent alimony and Rs. 3,00,000/- as maintenance during the period of pendency of the case, to which, the learned counsel for opposite party no. 2 has also agreed.

In such view of the matter, this revision application is allowed and the order dated 03.08.2015 passed by the Additional Principal Judge, Family Court, Patna in Cr. Misc. No. 2 of 2015 is set aside with direction to the petitioner to deposit a Bank Draft of Rs. 10,00,000/- drawn in favour of the opposite party no. 2 in the concerned court below within a period of 3 months, which will be released in favour of opposite party no. 2.

Once the amount of Rs. 10,00,000/- is being paid to the opposite party no. 2, both sides agreed that they will withdraw the cases filed against each other.

(Vinod Kumar Sinha, J)

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