

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.536 of 2016

Arising Out of PS. Case No.- Year- Thana- District- East Champaran

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Keshwar Bhagat Son of Late Gopi Bhagat, Resident of Village-Kararia
Bairagi Tola, P.S.-Kotwa, District-East Champaran.

... .. Petitioner/s

Versus

1. State Of Bihar & Anr.
2. Fulmati Devi @ Mungamati Devi wife of Keshwar Bhagar, Resident of
Village-Kararia Bairagi Tola, P.S.-Kotwa, District-East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava
For the Respondent/s : Mr. C. Jawaher(App)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 10-05-2018 The petitioner is aggrieved by the final order dated 28.03.2016 passed in Maintenance Case No. 99 of 2009 by the learned Principal Judge, Family Court, Motihari, East Champaran whereby he has been directed to pay to the opposite party no. 2 an amount of Rs. 2500/- per month w.e.f. March, 2016 and additional lump sum amount of Rs. 5000/- towards litigation cost.

The major ground of challenge by the petitioner is that the opposite party no. 2 is not the legally wedded wife of the petitioner. The final order reflects that the witnesses offered on behalf of the petitioner have stated that the petitioner was married to one Parwati Devi @ Fulmati. Some of the witnesses have only stated that the petitioner was married to Parwati Devi. There is no



reference in the aforesaid statement with respect to marital status of the opposite party no. 2.

On the contrary, the Family Court was of the view that all the witnesses have testified to the fact that the opposite party no. 2 was married to the petitioner. Thus, the Family Court found that the case of the opposite party no. 2 was squarely made out, entitling her to maintenance.

The quantum of maintenance fixed by the Family Court also does not appear to be excessive.

No good ground has been raised by the learned counsel for the petitioner to warrant any interference by this Court.

The petition is without merits and is therefore dismissed.

(Ashutosh Kumar, J)

Krishna/-
Ved/-

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