

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.379 of 2019**

Arising Out of PS. Case No.- Year-0 Thana- District- Samastipur

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Vivek Ranjan @ Vivek Kumar aged about 29 years Gender-Male S/o Ranjan Kumar Resident of Village- Madapur Chhapra, P.S.- Pusa, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kumari Amrita aged about 24 years Gender-Female W/o Vivek Ranjan @ Vivek Kumar, D/o Mithilesh Chaudhary Resident of Village- Madapur Chhapra, P.S.- Pusa, District- Samastipur, presently residing at Village- Narauli Sen, P.O.- Binda, P.S.- Mushari, District- Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Satya Prakash, Adv
For the Respondent/s : Mr.Ashraf Ansari, Adv

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**CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT**

Date : 03-04-2019

Heard parties.

2. This criminal revision petition has been filed against the judgment and order dated 09.01.2019 passed by Principal Judge, Family Court, Muzaffarpur, in Maintenance Case No. 161 of 2018, by which ad interim maintenance allowance of Rs. 3000/- per month has been ordered to be paid by the petitioner to the Opposite Party No. 2, till passing of the final order.

3. Petitioner was married with Opposite Party No. 2 on 03.07.2017 and thereafter Opposite Party No. 2 came to her



matrimonial home but Opposite Party No. 2 was subjected to torture and harassment for non fulfillment of demand of SCORPIO vehicle and Rs. 5 Lacs. She was abused, assaulted and ousted from her matrimonial home on 18.09.2017 and thereafter she had to take shelter in her parental home.

4. It has been submitted that Opposite Party No. 2 had no source of income and was unable to maintain herself whereas petitioner is an Engineer and working in Larson & Tubro Company and his salary is Rs. 50,000/- per month.

5. Opposite Party No. 2 filed a case for grant of maintenance in the Family Court, Muzaffarpur, and notices were issued to petitioner who appeared and denied the allegation of any demand of dowry or torture being committed upon Opposite Party No. 2 and Opposite Party No. 2 is mentally ill and has also illicit relation prior to her marriage.

6. After hearing rival contention of the parties, Principal Judge, Family Court, Muzaffarpur, has held that Opposite Party No. 2 is legally wedded wife of petitioner and has no source of income and is unable to maintain herself whereas petitioner is an Engineer having good earning and is bound to maintain his wife-Opposite Party No. 2 who is residing in her parental home and she has given sufficient cause for not living with petitioner



and order for payment of Rs. 3000/- per month as ad interim maintenance during pendency of maintenance case.

7. After hearing learned counsel for the parties and perusing the order passed by the Family Court of directing payment of Rs. 3000/- per month as ad interim maintenance to the Opposite Party No. 2 suffers from no error or is excessive and finds the amount of interim maintenance to be reasonable and modest in the circumstances of the present case, as such is not inclined to interfere in the order passed by the Family Court and accordingly the present revision petition filed against ad interim maintenance order passed by Family Court, Muzaffarpur, is dismissed.

(S. Kumar, J)

ranjan/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	15.04.2019
Transmission Date	15.04.2019

