

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.185 of 2018

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Tauhid Hussain Son of Late Abul Hussain, Resident of Village- Suiya P.S.-
Chaulia P.S. P.O.- Manora, District- Uttar Dinarpur at present residing at all
India Public School Halim Chowk, Handiya Road, P.S. District- Kishanganj.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Shahjahan Praween alias Yasin @ Nasmin, Wife of Tauhid Hussain,
Resident of Village- Suiya, P.S.- Chakulia, P.O.- Manora District- Uttar
Dinazpur, at present residing at Churri Patii, P.S. and District- Kishanganj.

... .. Opp. Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate
For the State : Mr. Jharkhandi Upadhyay, APP

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 06-09-2019

Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner has moved the Court under Section
19(4) of the Family Courts Act, 1984 against the order dated
16.11.2017 passed by the Principal Judge, Family Court,
Kishanganj in Maintenance Case No. 260 of 2015/CIS No. 260 of
2015 granting Rs. 4,000/- per month maintenance to the opposite
party no. 2 and Rs. 3,000/- each to the two sons of the petitioner,
the total being Rs. 10,000/- per month.

3. Learned counsel for the petitioner submitted that he is
ready to keep the opposite party no. 2 but she is not willing to
come and stay in the matrimonial home. It was further submitted



that the petitioner is landless and does not have enough income to pay the amount.

4. Learned APP from the judgment impugned itself pointed out that it has come that the petitioner is earning by teaching children and he has himself admitted before the Court that he is in job in a private school. He further submitted that the Court has rationally considered the evidence on the basis of materials as well as deposition of witnesses and has rightly fixed the amount of maintenance in favour of the opposite party no. 2 and her two sons.

5. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties and upon going through the judgment impugned, the Court finds the same to be well considered being based on cogent and reliable material. The inference drawn by the Court on the basis of materials before it are equally sound which do not require interference by this Court.

6. Accordingly, the application stands dismissed.

(Ahsanuddin Amanullah, J)

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