

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 51214 of 2017

Arising Out of PS. Case No.- Year-1111 Thana- District-

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Ramjee Singh @ Ramjee Yadav @ Ravindera Kumar Singh @ Ravindra Kumar S/o Manbodh Singh, resident of Village- Sakari Ram Nagar, P.S.- Piro, District- Bhojpur.

... .. Petitioner/s

Versus

1. State Of Bihar
2. Mira Devi, W/o Ramjee Singh, R/o Village- Kushmaha, P.O. + P.S.- Ayar, District- Bhojpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kameshwar Singh
For the Opposite Party/s : Mr.Sri Sunil Kumar Pandey

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date : 10-12-2019

Heard learned counsel for the petitioner and the Opposite Parties.

2 This application has been filed for setting aside the order dated 01.07.2016 of the Principal Judge, Family Court, Ara passed in Case No 110M of 2014 whereby interim maintenance of Rs 8,000/- has been fixed. It is submitted by the petitioner's counsel that in view of the order passed on Opposite Party No 2's application in Cr Misc No 12210 of 2015, the petitioner is a Constable and already under an obligation and is paying Rs 2,000/- per month to his wife. In the circumstances, fixation of an



additional amount of Rs 8,000/- per month under the order of the Principal Judge is wholly unjustified. The submission is that the same should be lowered.

3 The order passed in Cr Misc No 12210 of 2015 clarifies that the same will not affect the merit of the maintenance case filed by the wife. It is with such clear stipulation that in the said proceedings, for availing the privilege of bail, petitioner agreed to pay Rs 2,000/- per month. Challenge to fixation of interim maintenance of Rs 8.000/- per month, therefore, on the premise that Rs 2,000/- per month is already being paid, in light of the order passed in Cr Misc No 12210 of 2015, is therefore, not sustainable.

4 No other grounds have been urged for lowering the interim maintenance fixed by the Court.

5 This Court will not interfere with the interim maintenance fixed by the Court.

6 This application is dismissed.

(Madhuresh Prasad, J)

M.E.H./-

AFR/NAFR	NAFR
CAV DATE	NA
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