

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.76 of 2018

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

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Md. Nayeemuddin @ Naimuddin @ Md. Naim S/o Md. Gaisul @ Gayas Uddin, R/o Village- Diyari, P.O.- Rampur Kudar Katti, P.S. and District- Araria.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Bibi Nargish, W/o Md. Nayeemuddin @ Naimuddin @ Md. Naim & D/o Md. Idris, At present residing at Village- Koshkipur P.S. and District- Araria.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate
For the Respondent/s : Smt. Indu Kumari Srivastava, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 02-05-2019

Heard learned counsel for the parties.

2. By the impugned order dated 09.10.2017 passed by the learned Principal Judge, Family Court, Araria, in Maintenance Case No.71 of 2014, the learned Judge has awarded maintenance of Rs.4,000/- per month and Rs.2,000/- per month for each of the two children. Total Rs.8,000/- per month from the date of judgment.

3. The order has been passed on a petition filed under Section 125 Cr.P.C. The impugned order reveals that the Court has taken into consideration the reasonable excuse of Opposite Party No.2 to not to be in company of the husband and has also considered that the amount of maintenance decided is



minimum requirements of any individual.

4. Learned counsel for the petitioner submits that the petitioner is a daily wage-earner. After differences with Opposite Party No.2, he has married with another lady which is his liability.

5. The interim maintenance of Rs.2,000/- per month awarded by order dated 27.05.2016 has not been paid by the petitioner uptil now.

6. Considering the fact that amount of Rs.120/- per day is not excessive one as anyone would hardly fulfill his daily requirements including two time food from the aforesaid amount. Hence, there is no merit in this revision application.

7. Accordingly, it stands dismissed.

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
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