

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.319 of 2018

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

Swastik Jee Suman, S/o Bishundeo Mehta, Resident of Village-Mirzapur,
P.S.-Kutumba, District-Aurangabad.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Indu Devi, W/o Swastik Jee Suman, Resident of Village-Ratwar, Post Office
and P.S.-Obra, District-Aurangabad, Bihar.

... .. Opposite Parties

Appearance :

For the Petitioner : Mr. Brajesh Sahay, Advocate
For the Respondent/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

5 18-02-2020 Heard learned counsel for the petitioner and the
learned counsel appearing on behalf of the State.

The petitioner has preferred this revision application
challenging the judgment and order dated 17.01.2018 passed by
Sri Lallan Lal Srivastava, Principal Judge, Family Court,
Aurangabad in Misc. Case No.35 of 2015, whereby and
whereunder the learned Principal Judge has allowed the
maintenance application filed by the Opposite Party No.2
(divorced wife) under Section 125 of the Code of Criminal
Procedure and directed the petitioner to pay Rs.15,000/- as
maintenance allowance to the Opposite Party No.2 from the date
of the order i.e. 17.01.2018.



Learned counsel for the petitioner submits that the amount fixed by way of maintenance is unduly harsh and the petitioner is unable to pay the same. Learned counsel thus submits that the amount so fixed may be reduced as the petitioner is merely getting a salary of Rs.32,000/-.

I have perused the order and also the materials available on record. It appears that as in the month of May, 2016, the petitioner was drawing a salary to the tune of Rs.32,000/- and therefore, the amount fixed is justified.

Having considered the entire facts and circumstances, I do not feel inclined to interfere with the order dated 17.01.2018. The revision application is, accordingly, dismissed.

(Anjana Mishra, J)

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