

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87150 of 2019

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

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CHANDRA SHEKHAR KUMAR SINGH Son of Sri Ashok Prasad Singh

Resident of Village - Sadhua, P.S.- Gopalpur, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Smt. Chandrasena Devi W/o Chandrashekhar Kumar Singh, D/o Sri Bhagirath Prasad Singh Presently Resident of Village - Laluchak Angari, P.S.- Lodipur, Distt.- Bhagalpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Diwakar Upadhyaya
For the Opposite Party/s : Mr.Jharkhandi Upadhyay

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT

Date : 08-01-2020

Heard learned counsel for the parties.

This application under Section 482 of the Cr.P.C has been filed by the husband-petitioner against the order dated 30.11.2018 passed by Principal Judge, Family Court, Bhagalpur, in Misc.(Maintenance) Case No. 93 of 2016, by which husband-petitioner was directed to pay interim maintenance of Rs. 5000/- to the wife-opposite party no. 2.



Marriage of the petitioner was solemnized with Opposite Party No. 2 according to Hindu rites and customs on 15.07.2000, and thereafter she went to her matrimonial home. It is alleged that petitioner-husband ousted opposite party no. 2 from her matrimonial home on 20.02.2016 and thereafter she has filed a case for grant of maintenance as she has no source of income and is leading a very miserable life and she has to look after her two minor children, whereas husband-petitioner is in service and has cultivable land. Status of parties are admitted and petitioner-husband has admitted that they were residing together for last 15 years and living separately from 2016, and petitioner is living separately with another lady.

After hearing both the parties and on the basis of materials available on record, the Family Court has directed petitioner to pay interim maintenance of Rs. 5,000/- per month to the wife-opposite party no. 2 from the date of order.

After hearing the parties and considering the materials available on record and perusing the judgment passed by the Family Court, this court does not find illegality or irregularity in the judgment passed by the Principal Judge,



Family Court, Bhagalpur, as such this Court is not inclined to interfere in the order passed by the Principal Judge, Family Court.

The criminal miscellaneous petition is dismissed.

It is however, observed that the issue raised by the petitioner in this petition with respect to entitlement of opposite party no. 2 for maintenance shall be considered by the Family Court at the time of passing of final order.

(S. Kumar, J)

ranjan/-

AFR/NAFR	NAFR
CAV DATE	NA
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