

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(BEFORE THE RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL REVISION No.1132 of 2018**

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

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Md. Shamsad Md. Usman Resident of Village-Lalganj, Police Station-
Kishanpur, District-Supaul

... .. Petitioner

Versus

1. The State Of Bihar
2. Jabrun Nisha @ Zabrun Nisha Late Abdus Samad Resident of Village-
Amona Meerganj, P.O Amona Via Bathnaha Police Station-JOgbani District-
Araria
3. Saista Perveen Md. Shamsad Resident of Village-Amona Meerganj, P.O
Amona Via Bathnaha Police Station-JOgbani District-Araria
4. Gulabsa Perveen Md. Shamsad Resident of Village-Amona Meerganj, P.O
Amona Via Bathnaha Police Station-JOgbani District-Araria

... .. Respondents

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Appearance :

For the Petitioner/s : Mr. Anamul Haque, Advocate
For the Respondent/s : Mr. Mithilesh Kumar Khare, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 02-09-2022 After some arguments, learned counsel for the petitioner seeks permission to withdraw this application with liberty to file an appropriate application in the learned court below as respect only that part of the order by which Rs. 1,000/- has been allowed to the minor children.

Learned counsel for the petitioner submits that one of the children is living with the petitioner, therefore, the maintenance amount of Rs. 1,000/- awarded to him/her be reduced from the impugned judgment. He is ready to abide by the direction of the learned Principal Judge, Family Court, Araria to pay Rs. 3,000/-



monthly maintenance to his wife and Rs. 1,000/- to one of the children.

This application is, thus, being disposed of with a direction to the petitioner to make the payment of entire arrear to his wife and one of the children within a period of four months from today. In respect of one of the children who is said to be residing with him, he may file an appropriate application in the learned court below which will be considered on the basis of the material which will be brought to the notice of the Court and an appropriate decision thereon shall be taken within a period of two months from the date of filing of the application but such application must be filed within 30 days from today, failing which the petitioner shall be obliged to pay Rs. 1,000/- again to the second child as per order of the court. He will continue to pay the current maintenance, non- payment shall invite action towards the initiation of contempt.

Since learned counsel for the petitioner has sought withdrawal of the case subject to aforesaid submission, this Court is not imposing any cost against the petitioner.

(Rajeev Ranjan Prasad, J)

vats/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

