

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.393 of 2018

In
Miscellaneous Appeal No.180 of 2017

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

=====

Narayan Sah, son of Raghunath Sah, resident of Village Machgara, P.S. Bhagwanpur, District Siwan

... .. Petitioner

Versus

Tara Devi, wife of Narayan Sah and daughter of Chhathilal Sah, resident of village Paperahiya, P.S. Bhagwanpur, District-Siwan

... .. Opposite Party

=====

Appearance :

For the Petitioner : Mr. Ajay Kumar Pandey, Advocate

For the Opposite party : Mr. Nawal Kishore Singh, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

8 01-08-2022 Heard learned counsel for the petitioner and learned counsel for the opposite party.

By the impugned judgment, the learned court below has allowed a maintenance allowance of Rs.3,000/- per month to the opposite party.

There is no dispute that the petitioner and the opposite party are husband and wife respectively. The petitioner is working as a *rajmistri* in the State of Assam. Evidences have come that after 3 children were born out of the wedlock, some matrimonial discord took place between the parties which led to filing of divorce petition by the petitioner in the year 2004 itself. The said divorce petition was decreed but no permanent alimony was fixed for the opposite party. The opposite party has



lodged criminal cases alleging cruelty against the petitioner but those cases are said to have been dismissed.

Be that as it may, in the present application under Section 125 Cr.P.C., the learned court below has having considered the status of the parties and income of the petitioner awarded a meagre amount of Rs.3,000/- per month to the opposite party.

Learned counsel for the petitioner has assailed the impugned judgment mainly on the ground that it was the opposite party who had deserted the petitioner but in course of hearing, from the materials available on the record learned counsel is unable to demonstrate prima-facie any such finding in favour of the petitioner.

This Court, therefore, finds no reason to interfere with the impugned judgment.

This revision application is dismissed.

Let the Principal Judge, Family Court proceed to enforce the impugned judgment.

(Rajeev Ranjan Prasad, J)

SUSHMA2/-

U			
---	--	--	--

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'.

