

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.710 of 2018

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

=====

Deepak Prakash Singh, S/o Late Harihar Singh, Present Address B.C.C.L.
Coal Board Colony Bhatakuria, P.S. Bank More, District Dhanbad. Permanent
Address - Village Fatikwara, P.O. and P.S. Desri Distt. Vaishali.

... .. Petitioner

Versus

1. The State of Bihar
2. Smt. Sobha Singh, W/o Deepak Prakash Singh
3. Aditya Prakash, S/o Deepak Prakash Singh
4. Ashish Prakash, S/o Deepak Prakash Singh, R/o B.C.C.I Coal Board Colony
Matakuria, P.S. Bank More, Distt. Dhanbad. At present C/o Nageshwar
Singh, R/o Village and P.O. Satpura, Via Bhagwanpur, P.S. Bhagwanpur,
District Vaishali.

... .. Respondents

=====

Appearance :

For the Petitioner/s	:	Mr.Manish Chandra Gandhi, Advocate
For the Respondent/s	:	Mr. Md. Fahimuddin, A.P.P.
For the Opposite Parties	:	Mr. Shivjee Singh, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

5 05-07-2022 Heard learned counsel for the petitioner, learned
counsel for the opposite parties as also learned A.P.P. for the
State.

Learned counsel for the petitioner admits that the
petitioner is in service of B.C.C.L., Dhanbad. At the relevant
time, his monthly salary was Rs. 43,000/-.

This Court finds on perusal of the records that there
are some admitted facts. The opposite party no. 2 is the wife of
the petitioner whereas opposite party nos. 3 and 4 are the minor
sons of the petitioner. The learned Principal Judge has allowed a



maintenance of Rs. 18,000/- i.e. 6,000/- each of them which cannot be said an exaggerated amount in the present day of economic condition and keeping in mind the price index. It is not the submission of the petitioner that the opposite party no. 2 has got any independent source of income. The only submission made before this Court is that the opposite party had prayed for award of a sum of Rs. 15,000/- per month only whereas the court has awarded Rs. 18,000/- per month.

In the opinion of this Court, while deciding the application under Section 125 Cr.P.C. consideration of the entire materials on the record particularly the income of the husband-opposite party and on equitable consideration if the court has come to a conclusion that a sum of Rs. 18,000/- is fit to be allowed in favour of the dependents of the petitioner, it would not be proper for this Court to interfere with the impugned order in its revisional jurisdiction on this ground alone.

This application has no merit, it is dismissed.

(Rajeev Ranjan Prasad, J)

vats/-

U		T	
---	--	---	--

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'.

