

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(BEFORE THE RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL REVISION No.1118 of 2018**

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

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Md. Safuz , S/o Md. Kabir, R/o Vill.- Taran, P.S.- Jokihat, District- Araria.

... .. Petitioner

Versus

1. The State of Bihar
2. Bibi Uneza, W/o Md. Safuz, D/o Manjoor Alam,
3. Md. Irfan, S/o Md. Safuz (Under the Natural Guardianship of O.P. No. 2 Bibi Uneza), O.P. No. 2 & 3, R/o Vill.- Taran, P.S.- Jokihat, District- Araria.

... .. Respondents

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Appearance :

For the Petitioner/s	:	Mr.Nafisuzzoha, Advocate
		Mr. Md. Naushad Uzzoha, Advocate
For the Respondent/s	:	Mr. Sakir Ahmad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 02-09-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner is aggrieved by and dissatisfied with the judgment dated 14.06.2018 passed by learned Principal Judge, Family Court, Araria in Maintenance Case No. 189 of 2016 whereby and whereunder the learned court allowed the maintenance case of the opposite party nos. 2 and 3 and directed the petitioner to pay Rs. 4,000/- to the opposite party no. 2 and Rs. 1,000/- to opposite party no. 3 till his majority from the date of judgment.

Learned counsel for the petitioner does not dispute



that the opposite party nos. 2 and 3 are the wife and minor child of the petitioner. The deposition of the witnesses on behalf of the petitioner would show that the petitioner is running a tailoring shop at Delhi and the learned court below has found that his monthly income is Rs. 20,000/- per month approximately. The allegation against the petitioner is that he had performed a second marriage and ousted the applicant-wife and the minor child.

The learned Family Court has directed for payment of maintenance of Rs. 4,000/- to the applicant-wife and Rs. 1,000/- to the minor child but even this amount has not been paid to them so far.

Learned counsel for the petitioner is unable to demonstrate any ground to assail the impugned judgment.

Considering the materials available on the record, the findings of the learned Principal Judge, Family Court, Araria and the quantum of maintenance which is a meager sum of Rs. 5,000/- only per month for the wife and children both, this Court finds no reason to interfere with the impugned judgment. This revision application is dismissed.

Since the petitioner has not paid any money to the opposite party nos. 2 and 3 for last four years after passing of



the impugned judgment and has completely neglected them, this Court directs that the petitioner shall pay a cost of Rs. 25,000/- to opposite party nos. 2 and 3 together with arrears of maintenance within a period of two months from today and shall continue to pay the current maintenance in terms of the impugned judgment.

Non-compliance with this order shall be taken as contempt of this Court and a proceeding shall accordingly withdrawn against the petitioner.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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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'.

