

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.961 of 2019

Arising Out of PS. Case No.- Year-0 Thana- District- Banka

VINAY YADAV Son of Bhavesh Yadav @ Bhavish Maharana Resident of
Village - Manjhiyara, P.S. and District- Banka

... .. Petitioner

Versus

1. The State of Bihar
2. Kajal Devi Wife of Vinay Yadav, D/O - Shyam Yadav Resident of Village -
Majhiyara, P.S. and District- Banka, Presently living at Village - Sirade, P.S.-
Panjawara, District- Banka

... .. Opposite Parties.

Appearance :

For the Petitioner/s : Mr.
For the Respondent/s : Mr.Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 21-09-2022 No one appears for the petitioner.

By the impugned judgment a monthly maintenance of
Rs. 3000/- has been allowed to the applicant-wife.

On perusal of the impugned judgment, this Court
finds that the applicant-wife has proved her case by presenting
herself as a witness. She was also supported by both her parents
who appeared as P.W. 2 & P.W.3. The applicant-wife has further
proved that she was neglected and was thrown out of her
matrimonial house due to non-fulfillment of demand of dowry.
Her husband has performed a second marriage. She has proved
that she has no independent source of income and is unable to
maintain herself whereas her husband has sufficient income to
maintain her.



In this case the learned Principal Judge, Family Court, Banka has recorded that on service of notice opposite party – husband appeared in this case on 11.06.2018 but did not file any show cause. Due to his non-appearance the proceeding was taken *ex parte*.

In the given facts and circumstances and the materials available on the record, this Court finds no reason to interfere with the meagre sum of Rs. 3000/- which would come to Rs. 100/- per day allowed to the applicant-wife.

This Revision Application is dismissed.

Let the learned Principal Judge, Family Court, Banka, proceed to execute the judgment as expeditiously as possible.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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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'.

