

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.394 of 2017

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

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Ram Balak Sah S/o Late Mahavir Sah, R/o Village- Chbilapur, P.O.-
Govindpur, P.S.- Mansoorchak, District- Begusarai. Petitioner

Versus

1. The State of Bihar
 2. Bittu Kumar, S/o of Ram Balak Sah, through his mother and guardian Dharmshila Devi,
 3. Dharmshila Devi, W/o Ram Balak Sah, D/o Khusheshwar Sah, both R/o Village- Adharpur, P.O.P.S.- Teghra, District- Begusarai.
- Opposite Parties
- =====

Appearance :

For the Petitioner : Mr.
For the State : Mr. Nityanand Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 05-12-2022 No one appears for the petitioner to press this application.

Mr. Nityanand Tiwary, learned APP appears for the State.

This Court has recorded the situation presently prevailing wherein in the old cases of Criminal Revisions, most of the lawyers are not putting their appearance. Reference in this regard may be made to the order dated 24.11.2022 passed by this Court in Criminal Revision No.1233 of 2016.

For similar reasons, this Court deems it just and proper to go through the records and dispose it of on its own merit.

The petitioner, in this case, is aggrieved by and



dissatisfied with the judgment dated 11.01.2017 passed by learned Principal Judge, Family Court, Begusarai in Maintenance Case No. 49M of 2011.

It appears on perusal of the impugned judgment that the learned Family Court has awarded a sum of Rs.2500/- per month as maintenance to the applicant no. 1 and Rs.1500/- per month to applicant no. 2. A lumpsum amount of litigation cost of Rs.5,000/- payable within one month from the date of the order has also been allowed.

Learned Family Court has discussed the evidences which have been adduced on behalf of the parties. This petitioner who happened to be the opposite party in the learned court below has not rebutted the allegation that he has performed a second marriage during the lifetime of his first wife and his son. He has neglected his wife (O.P. No. 3) and the minor son (O.P. No. 2). The Family Court has come to a conclusion that both the opposite parties are not having any independent source of income whereas the husband-petitioner has an income of at least Rs.15,000/- per month from different sources including from flour and oil mills.

Having regard to the materials available on the record, this Court finds no reason to interfere with the impugned



judgment.

Learned Principal Judge, Family Court, Begusarai shall proceed to enforce the impugned judgment as expeditiously as possible to ensure that the entire outstanding payment be made to the opposite parties. If the petitioner is not paying the maintenance amount to the opposite parties in the name of pendency of this application, he would be liable to pay an additional cost of Rs.25,000/- (Rs. Twenty Five Thousand/ only) which would also be realized with the arrears of maintenance.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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