

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.869 of 2018

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

Md. Alamgir, Son of Rejabul, resident of Village- Thamcoal Thepcoal P.S.
Jokihat, District Araria.

... .. Petitioner

Versus

1. The State of Bihar
2. Bibi Nausash, wife of Md. Alamgir, Daughter of Md. Iliyas, resident of Village- Pathelawari P.S.Jokihat, District Araria.
3. Md. Armen, son of Md. Alamgir (Minor)
4. Khusi, D/o- Md. Alamgir (Minor) 3 & 4 under guardianship of Bibi Nauresh resident of Village- Pathelawari P.O.P.S.Jokihat, District Araria.

... .. Respondents

Appearance :

For the Petitioner/s : Mr.Md. Ziaul Quamar, Advocate
For the Respondent/s : Mr.Sri Arun Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 07-07-2022 Heard learned counsel for the petitioner and Mr. Arun Kumar Pandey, learned A.P.P. for the State.

The petitioner is aggrieved by and dissatisfied with the order dated 19.06.2018 passed by learned Principal Judge, Family Court, Araria in Maintenance Case No. 199 of 2015 in favour of opposite party nos. 2 to 4 whereby and whereunder the learned Principal Judge, Family Court, Araria directed the petitioner to pay Rs. 5,000/-.

Learned counsel for the petitioner submits that although maintenance amount is only Rs. 3,000/- to petitioner no. 1 and Rs. 1,000/- to petitioner nos. 2 and 3 respectively but the fact is that the petitioner is a daily wager, hence, this amount may be reduced.

On the other hand, learned A.P.P. for the State submits that



if the wife and two children of the petitioner are to stay with a sum of Rs. 5,000/- per month, there is no reason why the petitioner cannot sustain himself with an equal amount of Rs. 5,000/-. It is his submission that now-a-days even an unskilled labourer earns his livelihood by daily wages which is Rs. 300-400/- per day. Learned counsel, therefore, submits that considering the meager maintenance amount no interference is required.

Having regard to the submissions noted hereinabove, this Court agrees with the submissions advanced by learned A.P.P. for the State. The maintenance amount is already in a very lower side keeping in view that the petitioner claims to be a daily wager. In the present economic days and the price index of the country by no means the amount awarded to the wife and the minor daughters of the petitioner may be said to be excessive. No illegality or infirmity otherwise could be shown to this Court in the impugned order.

This application is, thus, dismissed.

(Rajeev Ranjan Prasad, J.)

vats/-

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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'.

