

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.15 of 2017

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

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Md. Sanaullah S/o Late Md. Mohsin Ali Resident of Village-Garaiya, P.S.
Barari District-Katihar

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Bibi Gulshan Ara D/o Md. Idris, W/o Md. Sanaullah
3. Shagufta Pravin Minor D/o Sanaullah represented through her natural guardian-mother bibi Gulshan Ara 2-3-both Resident of Village-Tinpania P.O. Kharia, P.S.-Kerha, District-Katihar

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh

For the Respondent/s : Mr.Sri Kumar Virendra Narayan

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 28-02-2023 Heard learned counsel for the petitioner.

This criminal revision application has been filed against order dated 30.11.2016 passed by learned Additional Principal Judge, Family Court, Katihar in Maintenance Case No. 127 of 2013 whereby and whereunder the learned Principal Judge has allowed the petition filed by opposite parties under Section 125 Cr.P.C. and directed the petitioner to pay Rs. 4,000/- per month to opposite party no. 1, who is wife of petitioner, and Rs. 2,000/- per month to opposite party no. 2, who is daughter of petitioner, as maintenance from the date of order in maintenance case.

It is submitted by learned counsel for the petitioner that without assessing the income of the petitioner and



considering any documentary evidence placed by petitioner, the impugned order has been passed. It is further submitted that petitioner has got no landed property and he is earning Rs. 6000/- per month from a private job. It is next submitted that petitioner is unable to pay the maintenance amount as determined by the court below.

I have carefully perused the impugned order. The monthly maintenance allowance of Rs. 4,000/- per month to wife of petitioner and Rs. 2,000/- per month to daughter of petitioner in this age of high inflation cannot be said to be on higher side or excessive in the facts and circumstances of the case as mentioned in the impugned order. The findings recorded by the court below are based on evidence.

I do not find any illegality or irregularity in the impugned order, which requires any interference by this Court.

Accordingly, this criminal revision application stands dismissed.

(Prabhat Kumar Singh, J)

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