

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.920 of 2018

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

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Nand Kishore Prasad Son of Deo Narayan Prasad, resident of Village- Chhotti Balia Bazar, P.O. Lakshminia, P.S. Ballia, District Begusarai, At Present R/o Tilak Chowk PS and District Madhubani.

... .. Petitioner/s

Versus

Deo Narayan Prasad Son of Late Shital Prasad resident of Village- Laheriagann Ward No 2, P.S. and District Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Md. Soban Asghar
For the Respondent/s : Mr.Subhash Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

9 21-02-2023 Heard learned counsel for the parties.

This criminal revision application has been filed against order dated 23.03.2017 passed by learned Principal Judge, Family Court, Madhubani in M. R. Case No. 24 of 2014 whereby and whereunder the learned Principal Judge has allowed the petition filed by opposite party under Section 125 Cr.P.C. and directed the petitioner and his brother, Braj Kishore Prasad, to pay Rs. 6,000/- per month to opposite party, who is father of petitioner, as maintenance from the date of filing of maintenance case.

It is submitted by learned counsel for the petitioner that as the impugned order has been passed ex parte against the petitioner he could not place his own case before the court below. It is further submitted that petitioner is not in a position



to pay the amount as directed by the court below. It is next submitted that opposite party has not only married to his mother but has married three times in his life and is currently living with Rampyari Devi. It is submitted that Urmila Devi, second wife of opposite party, is not being treated properly and no maintenance is paid by opposite party to her and the petitioner is paying huge maintenance and taking care of his mother, Shanti Devi, and approximately Rs. 10,000/- is being paid by the petitioner per month and, hence, petitioner seeks sympathetic approach in paying maintenance to opposite party/ his father.

I have carefully perused the impugned order. The monthly maintenance allowance of Rs. 3,000/- per month to father of petitioner to be paid by each, in this age of high inflation cannot be said to be on higher side or excessive.

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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