

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.189 of 2017

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

=====

Vishundeo Mandal S/o Hanesht Mandal Resident of Village-Rakha Tola,
Bishanpur P.S.- Mansahi, District-Katihar

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Smt. Rekha Kumari D/o Janardan Mandal, W/o Vishundeo Mandal, For and on Behalf of Shahil Sagar, S/o Vishundeo Mandal, Resident of Village-Salempur, P.S.-Pirpanti, District-Bhagalpur, At Present -Village-Rakha Tola, Bishanpur, P.S.-Mansahi, District-katihar.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Raghvendra Kumar Singh
For the Respondent/s : Smt. Reena Sinha

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 23-02-2023

I.A. No. 815 of 2017

I.A. No. 815 of 2017 has been filed under Section 5 of the Limitation Act for condoning the delay of one month & ten days in preferring this criminal revision application.

In view of reasons assigned in the limitation petition i.e. I.A. No. 815 of 2017, same is allowed and delay in filing this case is, hereby, condoned.

Criminal Revision No. 189 of 2017

This criminal revision application has been filed against order dated 16.09.2016 passed by learned Additional



Principal Judge, Family Court, Katihar in Maintenance Case No. 217 of 2013 whereby and whereunder the learned Principal Judge has allowed the petition filed by opposite party no. 2 under Section 125 Cr.P.C. and directed the petitioner to pay Rs. 8,000/- (five thousand) per month, as maintenance for opposite party no. 2, who is wife of petitioner, and her minor son.

It is submitted by learned counsel for the petitioner that opposite party no. 2 is a teacher in Government High School and getting salary as Rs. 20,000/- per month, whereas, petitioner is a Group 'D' employee in Railway and his old-aged father, mother and an unsound mind brother are dependent on him and as such, petitioner is unable to pay such high amount of maintenance, as fixed by the learned Court below in the impugned order.

Having heard learned counsel for the petitioner and perused the materials available on record. The monthly maintenance amount of Rs. 8,000/- (eight thousand) to wife and minor son of petitioner in this age of high inflation cannot be said to be on higher side or excessive. There is no illegality or perversity in the impugned order, which requires any interference by this Court.

Accordingly, I do not find any merit in this criminal



revision application and as such, it stands dismissed.

(Prabhat Kumar Singh, J)

anay/-

U		T	
---	--	---	--

