

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.150 of 2018

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

Dr. Jitendra Kumar @ Jitendra Kumar Gupta @ Pappu S/o Sri Mahendra Prasad Gupta, resident of Station Raod Barsoi, P.S. Barsoi, District- Katihar.

... .. Petitioner/s

Versus

1. State Of Bihar
2. Sangeeta Kumari, W/o Dr. Jitendra Kumar @ Pappu @ Jitendra Kumar Gupta, D/o Deo Narayan Sah, residing at Hemra, P.S. Muffassil, District- Begusarai.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Prakash Kumar, Adv.
For the Respondent/s	:	Mr. Aditya Narayan Singh 1, APP
For the O.P. No. 2	:	Mr. Ashwani Kumar Sinha, Adv. Mr. Dinkar Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL JUDGMENT

Date : 15-03-2023

Heard learned counsel for the petitioner, learned A.P.P. for the State and learned counsel for the O.P. No. 2.

The present criminal revision has been filed against the judgment/ order dated 19.01.2016 passed by Principal Judge, Family Court, Begusarai in Maintenance Case No. 46(M)/2012 by which petitioner was directed to pay the O.P. No. 2, a sum of Rs.30,000/- per month. The payment of litigation cost Rs.5,000/- lump-sum has also been directed to be made.

Counsel for petitioner submits that the ascertainment of earning of the petitioner has not been made

correctly. He submits that the earning of petitioner is based on the rent amount which the petitioner used to collect from the house constructed by his own. Counsel for petitioner further submits that on the point of legality, propriety and correctness, he has nothing to say. His only argument is that amount of maintenance is at higher side.

Counsel for State submits that there is no infirmity in the order passed by the Principal Judge, Family Court, Begusarai. Counsel for State also submits that vide order dated 30.10.2018, it has also been directed by this Court to pay 50 % of the arrears of maintenance amount within a period of 6 months in 2 installments, otherwise this criminal revision application shall stand dismissed against him.

Counsel for O.P. No. 2 submits that he has not received a single penny in compliance of the order dated 30.10.2018 till date.

In this view of the matter, the present criminal revision application is hereby dismissed.

Principal Judge, family Court, Begusarai is directed to do the needful for realization of the amount by way of issuance of process under Form 18 and 19 of the Cr.P.C. as well as according to the provisions laid down under Section 421 of

the Cr.P.C. The amount due is also directed to be recovered as
an arrear of land revenue within 6 months.

(Dr. Anshuman, J.)

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CAV DATE	
Uploading Date	
Transmission Date	