

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.355 of 2017

Arising Out of PS. Case No.- Year-2014 Thana- District-

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Sandeep Jha @ Sandeep Kumar Jha son of Late Arvind Jha, R/o village
Tiswara, P.S. Sarai ranjan, District – Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ranjana Devi wife of Sandeep Jha @ Sandeep Kumar Jha, Daughter of
Ram Punit Jha, At present resident of village – Vyaspur, P.S. Tajpur Halai,
district Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Anil Kumar, Advocate
For the Respondent/s : Mr.Umeshanand Pandit A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 25-02-2023 This criminal revision application has been filed

against order dated 03.09.2016 passed by learned Principal

Judge, Family Court, Samastipur in Maintenance Case No. 8 of

2014 whereby 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. 4,000/- (four thousand) per

month to opposite party no. 2, who is wife of the petitioner, as

maintenance and also directed to make payment of entire arrear

of maintenance allowance within six months in equal

installments.

It is submitted by learned counsel for the petitioner
that the Court below has failed to appreciate the financial



condition/income of the petitioner while fixing the amount of maintenance. It is further submitted that petitioner is suffering from the heart disease and is continuously under treatment of doctor since 2011, but the Court below has presumed the petitioner as healthy person. It is lastly submitted that petitioner has to look after his mother and other family members and as such, he is not in a position to pay such maintenance amount, as fixed by the learned Family Court, to opposite party no. 2.

From bare perusal of the impugned order, it is apparent that the learned Court below, after taking into consideration the entire materials, has fixed the amount of maintenance. In this age of high inflation, the maintenance amount of Rs. 4,000/- (four thousand) per month, as fixed by the learned Court below, cannot be said to be excessive on on higher side. I do not find any illegality or perversity 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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