

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.450 of 2017

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

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Manoj Chauhan S/o- Late Achhelal Chauhan, R/o- Dokrail Mahiyarpur, P.S.-
Jalalgarh, District- Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Bindu Devi W/o- Manoj Chauhan, D/o- Kailash Chauhan, Resident of- At
Present- Makaipur, P.S.- Korha, District- Katihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Adv.
For the Respondent/s : Mr. Parmanand Kumar, APP.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL JUDGMENT

Date : 05-05-2023

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The present Cr. Revision Application has been
filed against the order dated 18.03.2016 passed by Principal
Judge, Family Court, Katihar in Maintenance Case No. 50 of
2013 whereby the petition under Section 125 of Cr.P.C. was
allowed in favour of opposite party No.2 and petitioner was
directed to pay Rs.2,000/- per month as maintenance with
effect from 18.03.2016.

Learned counsel for the petitioner submits that
the petitioner is ill and suffering from T.B., his financial

position is not very good so that he could pay money.

Learned counsel for the State submits that the said amount was payable to the opposite party No.2 since 18.03.2016 and today i.e. May, 2023 is going to cross and on calculation total amount due shall be Rs.1,70,000/-.

Upon going through the records, it transpires that the petitioner has appeared before the court below and fully contested the case, and upon contest a well considered order has been passed. This Court is very cautious considering the application under Section 19(4) of the Family Court Act, 1984 that court has to interfere in the said judgment on the point of legality, correctness and propriety. Counsel for the petitioner is not in a position to raise any point of legality, correctness and propriety.

In this view of the matter, the present Cr. Revision Application is hereby dismissed and order passed by Principal Judge, Family Court, Katihar in Maintenance Case No. 50 of 2013 dated 18.03.2016 is hereby affirmed.

Principal Judge, Family Court, Katihar is directed to execute its own order and realize the said amount by issuing process for recovery under Form 18/19 of Schedule-II of Cr.P.C. 1973 as well as steps described in the case of

Sarfaraj Alam @ Md. Sarfaraj Vs. State of Bihar & Ors.

reported in **2023 (1) PLJR 756.**

(Dr. Anshuman, J.)

Ravishankar/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	