

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.158 of 2019

Arising Out of PS. Case No.- Year-0 Thana- District- Bhagalpur

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SANJAY KUMAR SINGH Krishnadeo Singh Resident of Village-
Jagarnathpur, PS- Ishipur Barahat

... .. Petitioner/s

Versus

ANJANA DEVI D/o Yamuna Prasad Singh Resident of Village- Jagarnathpur,
PS- Ishipur Barahat

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar No.1, Advocate

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

5 23-01-2024 The Opposite Party is the legally married wife of the petitioner. She filed an application under Section 125 of the Cr.P.C., before the learned Principal Judge, Family Court, Bhagalpur, which was registered as Misc. (Maintenance) Case No. 98 of 2009 and disposed of on 3rd of November, 2018.

02. By passing the impugned order, the petitioner was directed to pay maintenance allowance at the rate of Rs. 3,000/- per month to the Opposite Party and Rs. 2,000/- per month for the maintenance of the female child of the parties, total being Rs. 5,000/- per month from the date of passing of the order and



thereafter month by month. The said order is under challenge on the ground that the petitioner is a labourer and he earns Rs. 3,000/- per month. During trial of the proceeding under Section 125 of the Cr.P.C., P.W. 3 Sunil Kumar Singh stated on oath that the Opposite Party works in Surat in the State of Gujarat and earns Rs. 15,000/- per month. In his evidence, P.W. 3 further stated that he also works in Surat and he knows the petitioner and his nature of job and income against the said evidence. The petitioner has failed to produce any satisfactory evidence or any document in order to prove that his monthly income is much below than Rs. 15,000/- per month.

03. The learned Judge, considering the evidence on record, directed that the petitioner to pay maintenance allowance at the rate of Rs. 3,000/- per month to the Opposite Party and Rs. 2,000/- per month to the female child of the parties, total being Rs. 5,000/- per month. The said sum of Rs. 5,000/- per month is one-third of Rs. 15,000/-. Moreover, the petitioner is an able-bodied person and capable to work. He is under obligation to maintain his wife and minor child.

04. Considering the quantum of maintenance, this Court finds that there is no scope to alter or revise the impugned order.



05. Accordingly, the instant revision is dismissed.

(Bibek Chaudhuri, J)

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