

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.179 of 2019

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

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RAMAN KUMAR Son of Late Akhileshwar Prasad Resident of Mohalla-
Bhawanipur Zirat (Arya Samaj Road), P.S.- Chhatauni, District- East
Champaran.

... .. Petitioner/s

Versus

SONI KUMARI Wife of Sri Raman Kumar Resident of Mohalla- Bhawanipur
Zirat (Arya Samaj Road), P.S.- Chhatauni, District-East Champaran, At
present daughter of Sri Surendra Prasad, resident of Mohalla- Pashchimi
Gopalpur (Raza Bazaar), P.S.- Motihari Towan, District- East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma, Adv.
For the Respondent/s : Mr.Dhannjay Kumar No 2, APP

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CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

5 10-01-2024 Heard learned Advocate for the petitioner as well as

learned APP for the State.

2. An order dated 31st October, 2018, passed by the

learned Principal Judge, Family Court, East Champaran, Motihari,

in Maintenance Case No. 225 of 2014, is impugned in the instant

Revision. By passing the order impugned, the learned trial Judge

directed the petitioner/husband to pay a sum of Rs.10,000/- (Ten

thousand) per month to the opposite party no. 2/wife and

Rs.35,00/- per month each for their two children, total being Rs.

17,000/- (Seventeen thousand).

3. It has been proved during trial and not disputed in the

instant Revision that the opposite party no.2 is the legally married

wife of the petitioner and the parties have two children in their



wedlock. The petitioner himself admitted during trial of the case that he earns Rs. 63,564/- per month at the relevant point of time of hearing of the Maintenance Case, from his salary. From the records, it is ascertained that the petitioner has been staying separately with his children. Beside the instant proceeding under Section 125 of the Cr.P.C., there are other cases between the parties. The learned trial court made attempts to reconcile the parties, but such attempts turned to be futile. It is not disputed that opposite party is not able to maintain herself or that she has any independent source of income.

4. The learned trial Judge considered all aspects of the matter and finally passed the impugned order of maintenance directing the present petitioner to pay Rs.17,000/- per month for the maintenance of his wife and two children.

5. Considering the income of the petitioner, the amount of maintenance granted by the learned trial court is just proper and sufficient. For the reasons stated above, I do not find any illegality and material irregularity in the impugned order and accordingly the instant Criminal Revision is dismissed.

(Bibek Chaudhuri, J)

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