

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.303 of 2023

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

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PAPPU KUMAR @ SATISH CHANDRA @ SATISH KUMAR S/O
SURESH SAHU @ SURESH PRASAD Resident of Village- Laxmipur, P.S.-
Khajauli, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar
2. RINKU DEVI @ ANNI DEVI W/O PAPPU KUMAR @ SATISH
CHANDRA @ SATISH KUMAR D/O DEVENDRA PRASAD Resident of
Village- Baluan, P.S.- Maner, District- Patna, O.P. No.2, represented through
her mother namely Rinku Devi @ Anni Devi as natural guardian.
3. SHRISTI KUMARI D/O PAPPU KUMAR @ SATISH CHANDRA @
SATISH KUMAR Resident of Village- Baluan, P.S.- Maner, District- Patna,
O.P. No.2, represented through her mother namely Rinku Devi @ Anni Devi
as natural guardian.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar
For the Respondent/s : Mr. Nand Kumar

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CORAM: HONOURABLE MR. JUSTICE ARVIND SINGH CHANDEL
ORAL JUDGMENT

Date : 26-09-2024

Heard learned counsel for the petitioner and learned
counsel for the respondents.

2. This revision petition has been preferred by the
petitioner-husband being aggrieved with the order dated
17.03.2023 passed by the Principal Judge, Family Court, Patna



in Maintenance Case No.302 (M) of 2019, whereby and whereunder the Family Court allowed the application filed under Section 125 of Cr. P.C. by Opposite Party/wife and directed the petitioner-applicant to pay monthly maintenance amount of Rs. 9000/- to the Opposite Party/wife and Rs. 5000/- per month in favour of her minor daughter i.e. total Rs. 14,000/- from the date of submission of the application i.e. from the month of August, 2019.

3. Undisputedly, Opposite Party is a legally wedded wife of the petitioner and out of their wedlock, one daughter is born. As of now, both wife and daughter are residing separately from the petitioner.

4. Perusal of the paragraph-3 of the impugned order further shows that in spite of legal service of notice, the petitioner-husband did not appear before the Family Court and for reasons, after recording the *ex parte* evidence of the opposite party-wife, final *ex parte* order has been passed against the petitioner by the Family Court.

5. The order passed by the Family Court is based upon the unrebutted statement of Opposite Party/wife and her witnesses. I do not find any infirmity or illegality in the said order.



6. With regard to the quantum of maintenance is concerned, considering the monthly salary of the petitioner i.e. Rs. 30,000/- and other immovable property of the petitioner, the learned Family Court passed the impugned order directing him to pay total monthly maintenance of Rs. 14000/- to the opposite party/wife and her daughter. The above amount of maintenance is also based upon the evidence available on record and looking into the salary and other assets of the petitioner, the amount as ordered by the Family Court is also just and proper.

7. Resultantly, as discussed above, I do not find any merit in this revision petition. Accordingly, the same is dismissed having no merit at the stage of admission itself.

8. During course of argument, it is prayed by the learned counsel for the petitioner that as ordered by the Family Court, the petitioner has to pay the amount of maintenance from the month of August, 2019 and as of now, the arrears of the maintenance amount is about Rs. 7,53,000/-. The petitioner is ready to pay the said amount. Since the above amount is huge amount, it is, therefore, prayed by him that liberty may be given to the petitioner to pay the above arrears in installments.

9. Considering the above prayer made by the learned counsel for the petitioner, it is directed that the entire arrears of



the maintenance amount will be paid by the petitioner in four
equal installments in the gap of three months from today.

(Arvind Singh Chandel , J)

shailendra/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	30.09.2024
Transmission Date	30.09.2024

