

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.539 of 2019

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

=====

SACHIDA NAND PRASAD Son of Late Shatrughn Prasad Resident of
Village - Barhan Gopal, P.S.- Siwan Muffasil, Distt - Siwan, At present
resident of - Hudishahi (Behind Convent School) Post - Joda Kundurunala,
P.S.- Baneikala, Distt - Keojhar

... .. Petitioner/s

Versus

Srimati Krishna Devi Wife of Sachidanand Prasad Presently Residence of
Village - Khairtiya, Post - Manikpur, P.S.- and Distt - Gopalganj.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar, Advocate
For the Respondent/s : Mr.Xxxxx

=====

CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

4 29-01-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. On perusal of the impugned order, I do not find any
reason for interference because of the fact that the opposite
party/wife of the petitioner during subsistence of the said
marriage, petitioner has married for the second time, he being
governed under the Hindu Marriage Act proudly admits that he
has solemnized second marriage and for her he constructed
house in Orrisa.

3. When a Hindu male marriage for the second time
during the subsistence of his first marriage, the marriage is void
ab-initio and the first wife can very well deny to stay with her



husband. In the impugned order, I find in paragraph no.6 of the impugned order it is found that the petitioner gets pension of Rs.30,000/- moreover, he has landed property. The trial court passed an order of maintenance in favour of the petitioner at the rate of Rs.5,000/- per month.

4. The said sum is absolutely required considering today's market price and bare minimum need of a person to maintain herself.

5. Accordingly, the instant revision is dismissed.

(Bibek Chaudhuri, J)

mdrashid/-

U		T	
---	--	---	--

