

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.334 of 2023

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

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SURESH BHAGAT @ SURESH PRASAD BHAGAT Son of Vijendra Bhagat Resident of Village - Pir Maker Mali Tola, P.O.- Pir Maker, P.S.- Maker, District - Saran at Chapra, Bihar, Pin - 841215.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Punam Devi Wife of Suresh Bhagat Daughter of Ram Chandra Bhagat, Resident of Village - Maker (Sitla Asthan), P.S.- Maker, P.O.- Maker, District - Saran at Chapra, Presently residing at village - Bargatta Bazar, P.O.- Bargatta Bazar, P.S.- Sonepur, District - Saran at Chapra.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Akhileshwar Pandey, Advocate
For the Respondent/s : Mr.Md. Fahimuddin, APP

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CORAM: HONOURABLE MR. JUSTICE ARVIND SINGH CHANDEL
ORAL ORDER

5 20-07-2024 Heard on admission.

2. This revision petition has been filed by petitioner/ husband of O.P. No. 2 being aggrieved with the order dated 15.03.2021 passed by learned Principal Judge, Family Court, Saran at Chapra in Maintenance Case No. 42/2009 whereby the petitioner has been directed to pay a monthly maintenance of Rs. 5,000/- to his wife (O.P. No.2) and further Rs. 5,000/- each to his two minor sons which is in total Rs. 15,000/-.

3. Learned counsel for the petitioner submits that as of now, the petitioner is retired from service and is not able to give entire maintenance amount as ordered by learned Family Court.



4. He further submits that both the sons have attained the age of majority, therefore, on this ground they are also not entitled to get maintenance.

5. All the above grounds raised by learned counsel for the petitioner is available to the petitioner and the proceeding under Section 127 Cr.P.C., therefore, this petition is disposed of at this stage itself giving liberty to the petitioner to file an application under Section 127 Cr.P.C. for cancellation or alteration of the impugned order of maintenance on the grounds mentioned by the learned counsel for the petitioner earlier.

6. With the aforesaid liberty, this application is disposed of.

(Arvind Singh Chandel , J)

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