

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.465 of 2023

Arising Out of PS. Case No.-123 Year-2018 Thana- MADHEPURA COMPALINT CASE
District- Madhepura

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Md. Afsar @ Md. Afsad @ Md. Afsar Alam

... .. Petitioner

Versus

The State of Bihar

... .. Respondent

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Appearance :

For the Petitioner : Mr. Uday Chand Prasad, Adv.
For the Respondent : Mr. Uday Pratap Singh, Adv

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CORAM: HONOURABLE MR. JUSTICE ARVIND SINGH CHANDEL
ORAL ORDER

3 24-07-2024 Heard

2. This petition has been preferred by the petitioner-husband being aggrieved with the order dated 31.05.2023 passed by Principal Judge, Family Court, Madhepura in Misc. Maintenance Case No.123 of 2018 whereby the learned Family Court allowed the application submitted under Section 125 Cr.P.C by O.P No. 2 and directed the petitioner to pay a monthly maintenance amount of Rs. 4,000/- to O.P No. 2 wife of the petitioner as well as Rs. 2,000/- to their minor daughter who is residing with O.P No. 2.

3. Undisputedly, the O.P No. 2 is the legally wedded wife of petitioner O.P No. 3 is the legitimate child who is residing separately with her mother that is O.P No. 2.

4. Learned counsel for the petitioner submits that he is not challenging this impugned order on merit and confined his



argument only on the quantum part of the maintenance. He further submits that the petitioner is working as a labourer only and entire month he is not able to do work of labour. Therefore, the Family Court is only arrived at the conclusion that he is able to getting a monthly income of Rs.12,000/- as a work of labourer.

5. Perusal of the impugned order clearly shows that petitioner having some ancestral land property and further the petitioner is undisputedly doing the work of labour.

6. Considering the above, the learned Family Court fixed a monthly maintenance amount of Rs. 4,000/- and 2,000/- respectively in favour of O.P Nos. 2 and 3 which also appears to be just and proper.

7. Resultantly, this petition is dismissed at the admission stage itself having no merit.

(Arvind Singh Chandel , J)

Brajesh, Raj/-

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