

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL REVISION No.634 of 2021**

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

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Nasir Mia S/O Hanif Mia R/O Village-Bagha, P.S-Chiraiya, District-East  
Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Fatma Khatoon D/O Sakil Akhtar R/O Village-Pipra Vajid, P.S-Dhaka,  
District-East Champaran.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr.Prateek Tandon

For the Respondent/s : Mr. A.G.

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**CORAM: HONOURABLE MR. JUSTICE ARVIND SINGH CHANDEL  
ORAL ORDER**

7      13-08-2024                      Heard both the parties.

2. This Revision Petition has been preferred by the applicant being aggrieved with the judgment dated 22<sup>nd</sup> July, 2021, passed by the Principal Judge, Family Court, Motihari in Maintenance Case No. 59 of 2017, whereby the learned Family Court allowed the application, submitted by O.P. No.2/wife under Section 125 of Cr.P.C., and directed the petitioner to pay a monthly maintenance of ₹8000/- to O.P. No.2/wife and ₹2500/- each for her two minor children *i.e.*, total ₹13000/-.

3. Reportedly, the O.P. No. 2 is the legally wedded



wife of the petitioner and she is residing separately with her two children.

4. Perusal of the impugned order shows that, as of now, the petitioner himself has performed second marriage and out of the second marriage, two children have already born.

5. Learned counsel for petitioner submit that he only argues on the quantum of maintenance amount. He submit that petitioner is a holder of B.P.L. Card and working as a labourer in a workshop at Surat and getting a monthly income of about ₹10,000/- to 12000/- only. Therefore, it is prayed by the counsel that the amount of ₹13000/-, which has been ordered by the Family Court, is some higher side. He submits that the said amount may be reduced to some extent.

5. Learned counsel for O.P. No.2/wife submits that if this Court reduced the said amount to some extent then he has no any objection.

6. Considering the above submission made by both counsels and further considering the financial status of petitioner/husband and the fact that so many other persons are dependent upon him, the amount of maintenance is reduced to ₹10,000/- (₹ 6000/- for O.P. No.2/wife and ₹2000/- each for her two children).



7. Accordingly, this Revision Petition is disposed of.

**(Arvind Singh Chandel , J)**

Siwani/-

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