

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.562 of 2024

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

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1. Ajay Kumar Sharma Son of Surendra Prasad Singh R/V- Village- P.O.- Dadar, P.S.- Goh, Distt.- Aurangaad, Bihar
 2. Anil Kumar Sharma @ Anil Sharma Son Of Surendra Prasad Singh R/V- Village- P.O.- Dadar, P.S.- Goh, Distt.- Aurangaad, Bihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Surendra Prasad Singh R/V- Village- P.O.- Dadar, P.S.- Goh, Distt.- Aurangaad, Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Diwakar, Advocate
For the O.P. No. 2	:	Mr. Arun Kumar Sinha, Advocate
For the State	:	Mr. Shantanu Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

4 25-06-2025 The petitioners are the sons of O.P. No. 2. The O.P. No. 2, the octogenarian suffering from various ailments, was compelled to file an application under Section 125 of the CrPC against his two sons, who refused to maintain him. As per the provisions of Section 125, it is the legal and moral duty of the sons having sufficient means to maintain his parents. Practically, the O.P. No. 2 is a cursed father who gave birth to the petitioners who denied to maintain their father and fight a proceeding under Section 125 of the CrPC up to this Court.

2. The trial court directed both the sons to pay only Rs. 3,500/- each to the O.P. No. 2/father. They are not even



agreeable to paying the said amount. It is not denied that O.P. No. 2 has no source of income and he cannot maintain himself. On the other hand, the petitioners pleaded that O.P. No. 2 has been residing with his third son, and for this reason they are not under obligation to pay any maintenance. I find the argument advanced on behalf of the petitioners ridiculous.

3. Being the sons, the petitioners are under obligation to maintain their father, considering the amount of maintenance granted by the trial court. I do not find any scope to interfere with the impugned order.

4. This Court is of the considered view that while the impugned order ought to be affirmed. The instant revision should be dismissed with exemplary cost, as the sons dared to proceed up to this Court denying the maintenance to the father.

5. In view of such circumstances, the instant criminal revision is dismissed on contest subject to a payment of Rs. 10,000/- in account of Patna High Court Legal Services Authority.

(Bibek Chaudhuri, J)

Suraj Dubey/-

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