

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.1237 of 2025

Abhay Kumar Singh S/o- Uma Shankar Singh Village- Lakshmanpur PO-
Daulatpur PS- Muffasil District-Bhojpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Manish Kumari D/o- Lalan Prasad, W/o- Abhay Kumar Singh R/v-
Charkhambha Gali, Khetadi at South of Jail Ps- Ara Town Dist-Bhojpur

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Nagendra Upadhyay, Advocate
For the State : Mr.Amitesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL JUDGMENT

Date : 29-01-2026

Heard learned counsel for the petitioner and I
intend to dispose of the revision petition at this stage itself.

2. The present criminal revision petition is
directed against the order dated 04.09.2025 passed by learned
Principal Judge, Family Court, Bhojpur, Ara in Maintenance
Case No. 215 of 2022, whereby and whereunder the learned
Principal Judge allowed the interim maintenance of Rs.5,000/-
per month to opposite party no. 2 to be paid on 15th day of each
month, from the date of the order.

3. Learned counsel for the petitioner submits that
the impugned order has been passed without consideration of
facts and circumstances and material available on record. The
petitioner has runs only a saloon and earns Rs.15,000/- per
month and the saloon used to be run in the partnership. But the



saloon ran into losses and petitioner was forced to close the saloon and now he is unemployed and is having no income. The learned Family Court failed to consider the reply of the petitioner dated 02.08.2024. The learned Family Court further failed to consider the income of the parties before deciding the quantum of the interim maintenance. Learned counsel further submits that the learned Family Court also failed to consider that due to ill behaviour of opposite party no. 2, the parents of the petitioner have thrown out the petitioner from their house. The learned Family Court also did not consider that the petitioner is always ready to keep opposite party no. 2 with honour and dignity but she is not ready to join the matrimonial life with the petitioner. Therefore, the impugned order is illegal, arbitrary and bad in the eyes of law.

4. Perused the records.

5. From perusal of the order dated 04.09.2025, I find that the learned Family Court has considered all the averments made by the petitioner before it. The learned Family Court took into consideration the respective affidavit of the parties regarding their assets and liabilities. It has also come in the affidavit of the petitioner that his monthly expenses are Rs.13,000/- and he has his share in the ancestral property and he



has taken loan of Rs.1,96,000/- for purchase of a bike. The learned Family Court has also taken note of the fact that the matter is still pending and the merit of the contention of the parties are yet to be decided. In this background, the learned Family Court passed the order which has been challenged before this Court. Thus, the order has been passed after due consideration of the submission of the petitioner.

6. In its revisional jurisdiction, this Court cannot re-appreciate the fact to substitute its view upon the view taken by the learned Family Court. Further, the order does not appear to be suffering from any illegality or impropriety or even irregularity as the contention of the petitioner has been considered by the learned Family Court before passing the order and for this reason, this Court finds that there is no material on record to interfere with the impugned order.

7. Therefore, the present petition is dismissed being devoid of any merit.

(Arun Kumar Jha, J)

DKS/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	29.01.2026
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