

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.37 of 2024

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Sagun Kumar Chandan, son of Awadesh Singh @ Awadesh Kumar Singh, r/o Village- Dumari, P.S.- Parwalpur, Dist-Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Priyanka Kumari, wife of Sagun Kumar Chandan, D/o- Late Satyendra Singh, r/o Village- Dumari, P.S. Parwalpur Dist-Nalanda, P/A- Vill- Kakhaura, P.S.- Shakurabad, Dist- Jehanabad
3. Rudra Pratap Singh, son of Sagun Kumar Chandan, r/o Village- Dumari, P.S.- Parwalpur, Dist-Nalanda, P/A- Vill- Kakhaura P.S.- Shakurabad Dist- Jehanabad

... .. Respondent/s

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with
CRIMINAL REVISION No. 269 of 2024

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1. Priyanka Kumari, W/o Sagun Kumar Chandan and D/o Late Satyendra Singh, R/o village - Kakhaura, P.O. - Pandaul, P.S. - Shakurabad, Distt. - Jehanabad
2. Rudra Pratap , S/o Sagun Kumar Chandan, R/o village - Kakhaura, P.O. - Pandaul, P.S. - Shakurabad, Distt. - Jehanabad

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sagun Kumar Chandan, S/o Awadhesh Singh @ Awadhesh Kumar Singh, R/o village - Dumari, P.S. - Parwalpur, Distt. - Nalanda

... .. Respondent/s

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Appearance :

(In CRIMINAL REVISION No. 37 of 2024)

For the Petitioner/s	:	Mr. Deepak Kumar, Advocate. Mr. Bhaskar Anand, Advocate.
For the State	:	Mr. Ram Sumiran Rai, APP
For the Respondents	:	Mr. Baidyanath Thakur, Advocate. Mr. Kaushik Deo, Advocate. Mr. MriganK Shekhar, Advocate.

(In CRIMINAL REVISION No. 269 of 2024)

For the Petitioner/s	:	Mr. Baidyanath Thakur, Advocate. Mr. Kaushik Deo, Advocate. Mr. Mrigank Shekhar, Advocate.
For the State	:	Mr. Chandra Sen Pd. Singh, APP
For the Respondents	:	Mr. Deepak Kumar, Advocate. Mr. Bhaskar Anand, Advocate.



CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

21 09-02-2026 Both these revision petitions have been preferred against the impugned order dated 19.09.2023 passed by learned Principal Judge, Family Court, Jehanabad, in Maintenance Case No. 27 of 2022 whereby Priyanka Kumari and her minor son Rudra Pratap Singh have been awarded maintenance @ Rs.10,000/- and 5,000/- per month respectively in addition to litigation cost of Rs.25,000/- payable by Sagun Kumar Chandan.

2. Both Priyanka Kumari as well as her son Rudra Pratap Singh have filed the Revision Petition No. 269 of 2024 for higher quantum of maintenance whereas Criminal Revision No. 37 of 2024 has been filed by Sagun Kumar Chandan who is undisputedly husband of Priyanka Kumari and father of Rudra Pratap Singh. He has filed his Criminal Revision on account of being aggrieved by the quantum of the maintenance awarded to his wife and minor son, submitting that in view of the income as proved by his wife and son on record before the Family Court, the quantum of maintenance is on higher side because as per record before the Family Court, his monthly income is only Rs.45,000/- whereas his parents are also dependent upon him besides his wife and minor son. His sister is already self



employed and she may not be deemed to be dependent on him. As such, the quantum of maintenance on higher side is not sustainable.

3. However, learned counsel for Priyanka Kumari as well as Rudra Pratap Singh submits that in view of the facts and circumstances of the case and the materials on record, the quantum of maintenance awarded by learned Family Court, Jehanabad, in favour of Priyanka Kumari and Rudra Pratap Singh is on the lower side. He further submits that father, besides having cultivable land, is running transport business by having a truck. As such, father and mother cannot be deemed to be dependent upon Sagun Kumar Chandan. He refers to the deposition of Sagun Kumar Chandan wherein in his cross-examination, he has admitted that his father has purchased one truck. He further submits that Sagun Kumar Chandan has concealed his real monthly salary. In his cross-examination on 25.07.2023 he has clearly deposed that his monthly salary is only Rs.45,000/- and he would file his salary slip on record, but he has not filed the same on record and as per salary slip of June, 2023 as filed in Cr. Revision No. 37 of 2024, Sagun Kumar Chandan is a Constable in Central Industrial Security Force and his gross salary is Rs.59,603/- and after deduction, he



was getting Rs.50,897/-. As such, Sagun Kumar Chandan has clearly lied to the Court and misled the Court on facts regarding his income. As such, he has not come to the Court with clean hands. Hence, he deserves no relief from the Court.

4. As such, monthly maintenance @ Rs.15,000/- to Priyanka Kumari and Rudra Pratap Singh is not sufficient to sustain themselves and at least they are entitled to get Rs.25,000/- (13,000/- to wife and 12,000/- to minor son) per month as maintenance. He also submits that till date even Rs.5,56,000/- is due towards arrears of the maintenance in terms of the impugned order. Even total litigation cost has not been paid. Out of 25,000, only Rs. 21,000/- has been paid as litigation cost whereas there is no stay of the impugned order by this Court. He further submits that as of today, his monthly gross salary is Rs.75,053/- including hardship allowance because he is posted in 7th RES BN Kistwar.

5. I considered the submissions advanced by both the parties and perused the materials on record.

6. As per the evidence on record, I find that father of Sagun Kumar Chandan owns truck and as such, he has transport business. It means he has source of income to sustain himself and his wife. As such, parents of Sagun Kumar



Chandan could not be deemed to be dependent upon him. Even his sister is already in job since 2018 as per statement of Sagun Kumar Chandan in his cross-examination. As such, only dependents are Priyanka Kumari (wife) and Rudra Pratap Singh (minor son). As such, out of gross salary of Rs.50,000/-, Rs.15,000/- per months towards maintenance of Priyanka Kumari and Rudra Pratap Singh together is a pittance and it requires to be enhanced in the interest of justice.

7. Hence, Sagun Kumar Chandan is directed to pay Rs.13,000/- per month to Priyanka Kumari and Rs.12,000/- to her minor child Rudra Pratap Singh. In other words, Sagun Kumar Chandan is directed to pay Rs.25,000/- altogether to Priyanka Kumari and her minor son Rudra Pratap Singh towards their maintenance, besides litigation cost of Rs.40,000/- incurred by Priyanka Kumari and Rudra Pratap Singh in this Court.

8. I further find that this order will be applicable from 06.02.2020 i.e. from the date of filing of the maintenance petition before the Family Court.

9. Accordingly, Cr. Revision No. 269 of 2024 stands allowed whereas Cr. Revision No. 37 of 2024 stands dismissed.

10. Office is directed to send a copy of this order to the Family Court along with Trial Court Records and Family



Court, Jehanabad, is directed to execute the order with all sincerity seeing the urgency of the maintenance payable to Priyanka Kumari and her minor son Rudra Pratap Singh. The Family Court, Jehanabad, is also directed to send a copy of this order to the controlling authority of Sagun Kumar Chandan where he is working so that the amount should be realized from his salary account.

(Jitendra Kumar, J)

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