

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20920 of 2014

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Devraj Dev Son of Ramchandra Bhagat Resident of Village - Banmankhi
Sonar Path, P.S. - Banmankhi in the district of Purnea, presently posted as
Secretary, State Human Right Commission, Tamilnadu

.... Petitioner/s

Versus

1. The State of Bihar
2. Pritam Chaudhary Wife of Devraj Dev
3. Yashraj
4. Menas Both minor sons of Devraj Devi represented through her mother
namely, Smt. Pritam Choudhary Presently residing at Mohalla Nao
Ratan, P.S. - K.Hat, in the district of Purnea

.... Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Akhileshwar Pd. Singh, Sr. Advocate
For the State	:	Mr. J.Upadhyay (APP)
For Opposite Parties	:	Mr. Saket Tiwary, Advocte Mr. Sanjeev Kumar Dubey, Advocte

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

8 28-07-2017 Heard learned counsel for the petitioner, State and
the counsel appearing on behalf of the opposite parties.

Having regard to the controversy involved in the
present case and considering the stage of the proceedings, it
would be appropriate to relegate the petitioner to the Court
Below where the matter with regard to grant of alimony is
pending. It goes without saying that if appropriate application is
filed by the petitioner in the Court Below with regard to the
entitlement/disentitlement of the wife in terms of the provisions
of Section 125 Cr.P.C., the Court Below is required to address



each and every submission which is relevant for adjudicating such dispute including the sources of income of the wife. If other issues are also raised by the petitioner, the Court Below may consider the same, if it is otherwise permissible under the law and the Court Below will take decision as early as possible preferably within three months from the date of filing of such application.

With the aforesaid, the application stands disposed of.

(Anil Kumar Upadhyay, J)

S.Pandey/-

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