

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54697 of 2017

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Alok Kumar Dwivedi, son of Amiya Kumar Dwivedi, resident of Village-
Ratepur, P.S.- Sahebganj, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Bibha Devi, D/o. Jai Karan Tiwari, resident of Village- Kanti, P.S.-
Lalganj, District- Vaishali.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Devendra Kumar, Advocate
Mr. Ranjit Kumar Thakur, Advocate
For the State : Mr. Bimal Kumar – 3
For the Opposite Party No.2: Mr. Surendra Kishore Thakur, Advocate

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 03-10-2018 Heard learned counsel for petitioner and learned counsel for
the State as well as opposite party no.2.

Earlier this Court has granted bail to the petitioner vide
order dated 16.07.2015 in Criminal Miscellaneous No. 5276 of
2015 with a condition that he will continue to pay Rs. 4,000/- per
month to opposite party no.2, but this order will remain effective
till the final adjudication of the divorce case.

As has been submitted by the learned counsel for the
petitioner and not disputed by the learned counsel for the opposite
party no.2 that the divorce case has already been adjudicated and
Rs. 1,00,000/- as litigation cost has been granted. Finally the
marriage has been dissolved by the judgment of the divorce case,



relationship of wife and husband is now snapped.

In such circumstances, continuation of payment of Rs. 4,000/- in a criminal case does not any purpose.

Accordingly, this Court is of the view that petitioner is not liable to pay Rs. 4,000/- per month from the date of order passed in divorce case in view of the change situation.

With the aforesaid observations and directions this application is disposed of.

(Shivaji Pandey, J)

Vinay/Sunny

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