

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27056 of 2012

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1. Ashwani Kumar @ Deepu Shiv Narayan Thakur R/O,Vill.-
Madhuban,P.S.-Sadar,Dist.-Muzaffarpur

.... Petitioner/s

Versus

1. The State Of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ganesh Prasad Singh

For the Opposite Party/s : Mr. Anuj Kumar Srivastava(App

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL ORDER

5 23-03-2015

The petitioner seeks quashing of the order of cognizance dated 02.11.2007 passed by the Chief Judicial Magistrate, Muzaffarpur in Muzaffarpur (East) Sader P.S. Case No. 163 of 2007.

The case of the informant is that his niece was kidnapped by the accused persons. Thereafter the victim girl appeared and gave a statement recorded under Section 164 Cr. P.C that she was adult and married the main accused. It is under these circumstances, the petitioner seeks quashing of the proceeding.

Considering the statement under Section 164 Cr. P.C, I would be inclined to hold that no offence is made out against any of the accused. Hence, the application is allowed. The order of cognizance dated 02.11.2007 passed by the Chief Judicial Magistrate, Muzaffarpur in Muzaffarpur (East) Sader P.S. Case

No. 163 of 2007 against all the accused persons, is hereby set aside.

(Anjana Prakash, J)

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