

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.46409 of 2012**

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Naresh Kumar Gupta son of Ram Chandra Pd. Gupta, Resident of Mohalla  
Naga Road, P.S. Raxaul, District East Champaran

.... .... Petitioner

Versus

1. The State of Bihar  
2. Rinku Devi wife of Naresh Kumar Gupta, D/o Chandan Patel  
Resident of Mohalla Naga Road, Raxaul, near Ramjee Prasad's Flour Mill,  
P.S. Raxaul, District East Champaran

.... .... Opposite Parties

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**Appearance :**

For the Petitioner : Mr. Mukesh Kumar, Advocate

For the Opposite Party : APP

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**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**  
**ORAL ORDER**

2      16-04-2015                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The present application has been filed for quashing  
the order dated 27.09.2012 passed in C-505 of 2011 by which the  
learned Sub-Divisional Judicial Magistrate, Raxaul at Motihari has  
taken cognizance of offence under Section 498 of the Indian Penal  
Code and directed issuance of process against the petitioner.

3. According to the petitioner, he has committed no  
offence rather the complainant is a lady of questionable character  
and has never married with the petitioner.

4. Be that as it may, the learned Sub-Divisional  
Judicial Magistrate, Raxaul at Motihari has taken into  
consideration the materials on record such as statements of the

complainant and two witnesses and has found a prima facie case against the petitioner being husband of the complainant.

5. In the above circumstances, this Court is not inclined to interfere with the impugned order. The petition stands dismissed.

**(Vikash Jain, J)**

B.T/-

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