

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 2478 of 2016

Arising Out of PS.Case No. -51 Year- 2010 Thana -COMPLAINT CASE District- BANKA

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Ram Sakal Das Son of Late Jagdish Das @ Late Mahdeo Das resident of
village - Allang Parghari, P.S. Sabour, District - Bhagalpur

.... Petitioner

Versus

1. The State of Bihar
2. Parwati Devi @ Gangiya Devi Daughter of Ketu Das resident of village -
Kediya, P.S. Fulidumar, District - Banka

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh

For the Opposite Party/s : Mr. Manish Kumar-Ii(App)

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3. 29-08-2016 Heard Sri Dewendra Narayan Singh, learned counsel
for the petitioner and learned Addl. Public Prosecutor.

The petitioner, who is husband of the complainant/opposite party no. 2, has approached this Court for quashing of an order, which was passed long back on 03-02-2011, whereby, learned Chief Judicial Magistrate, Banka has taken cognizance of offence under Section 498(A) of the Indian Penal Code in Complaint Case No. 51 of 2010.

Learned counsel for the petitioner submits that in anticipatory bail petition of the petitioner, an order was passed for conducting D.N.A. test in respect of child of the complainant. He submits that the marriage is under-dispute.

Be that as it may, since order of cognizance was passed long back in the year 2011 and same has been challenged in the year 2016, the order impugned may not be interfered with.

The petition stands dismissed.

(Rakesh Kumar, J.)

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