

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23462 of 2013

Arising Out of PS.Case No. -126 Year- 2009 Thana -ARARIA District- ARRARIA

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Md. Naiyar Habib son of Sk. Habibuddin Resident Of Village- Azad
Nagar, Police Station- Araria, District- Araria

.... Petitioner/s

Versus

1. The State Of Bihar
2. Aasmina wife of Md. Akhlaque Ahmad Resident Of Village- Taran,
Police Station- Joki Hat, District- Araria

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anamul Haque

For the Opposite Party/s : Mr. Sanjay Kr. Singh (App)

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

6 28-07-2016 Heard Sri Anamul Haque, learned counsel for the

petitioner , Sri Madan Kumar, learned A.P.P. as well as Sri

Nafisuz Zoha, learned counsel, who has appeared on behalf of the

informant/ opposite party no. 2 on notice.

The petitioner, has approached this court invoking its
inherent jurisdiction under section 482 of the Code of Criminal
Procedure, with a prayer to quash an order dated 12.5.2011
passed by learned Judicial Magistrate 1st Class, Araria in Araria
P.S. Case No. 126 of 2009. By the said order the learned
Magistrate has taken cognizance of offence under section 323,
504 of the Indian Penal Code .

Learned counsel for the petitioner tried to persuade the

court that petitioner was a doctor and false accusation was made. He further submits that petitioner before lodging of the present case had filed a petition before the superintendent of police and an F.I.R. was lodged in which it was alleged that that informant's side had committed some offence in the clinic of the petitioner.

After going through the impugned order, the court is satisfied that the learned Magistrate has committed no error.

The petition stands dismissed.

(Rakesh Kumar, J)

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