

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44535 of 2013

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Talat Bano Wife Of Late Z.A. Mirza , resident of Mohalla- Laksheshwar
Bhawan, Pathari Ghat, P.S. Alamganj, District- Patna

.... Petitioner/s

Versus

The State Of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad

For the Opposite Party/s : Mr. Murlidhar (App)

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

11 15-09-2016 Heard Sri Brij Nandan Prasad, learned counsel for the
petitioner and Sri Murlidhar, learned Additional Public Prosecutor.

The sole petitioner, has approached this court invoking
its inherent jurisdiction under section 482 of the Code of Criminal
Procedure for quashing of an order dated 27.8.2013 passed by
learned Judicial Magistrate, Patna City in Alamganj P.S. Case No.
215 of 2004 corresponding to G.R. No. 1182 of 2004. By the said
order petition filed on behalf of the petitioner under section 239
of the Cr.P.C. for discharge was rejected.

Learned counsel for the petitioner submits that
regarding allegation of committing forgery in respect of date of
birth, the petitioner has also filed a declaratory suit and as such,
according to learned counsel for the petitioner during the
pendency of the title suit the petitioner may not be allowed to be

prosecuted. However, after perusing the F.I.R. as well as material available on record including the impugned order, the court is satisfied that in the impugned order there is no apparent error warranting interference.

The petition stands dismissed.

(Rakesh Kumar, J)

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