

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 42219 of 2013

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Dhaneshwar Singh Son of Late Mihita Singh Resident of Village -
Dariapur, P.S. - Shahpur, District - Patna

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Arvind Prasad Singh

For the Opposite Party/s : Mr. Ganesh Pd. Singh (App)

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3. 21-06-2016 Heard Sri Arvind Prasad Singh, learned counsel for
the petitioner and Sri Ganesh Prasad Singh, learned Addl. Public
Prosecutor.

The petitioner is husband of the complainant, who has
not been impleaded as party in the present case, 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 01-08-2013 passed by learned Judicial Magistrate 1st Class,
Danapur in Complaint Case No. 922(C) of 2010 for offence under
Sections 494 and 498(A) of the Indian Penal Code.

Learned counsel for the petitioner tried to persuade
the Court that since from the first wife, there was no issue, the
petitioner, with the consent of first wife, solemnized second
marriage. He submits that no offence is made out and it was a fit

case for discharge. Accordingly, a petition was filed under Section 245 of the Cr.P.C. for discharge of the petitioner, which has been rejected.

Besides hearing, I have also perused the material on record. Without recording any opinion on the merit of the case, the Court is not inclined to interfere with the impugned order.

The petition stands dismissed.

(Rakesh Kumar, J.)

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