

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21546 of 2012

- =====
1. Jai Bir Kumar Ram, son of Fulena Ram,
 2. Fulena Ram, son of late Sri Jit Lal Ram,
 3. Pania Devi, wife of Fulena Ram,
 4. Ful Kumari Devi, wife of Raj Pal Ram, all resident of village- Baijapur
Kesho, Police Station- Sonapur, District- Saran

.... Petitioner/s

Versus

1. The State of Bihar
2. Rekha Devi, daughter of Duryodhan Ram, at present residing with her
husband at village- Purwari Moriya, P.O.- Bhoraha, P.S.- Panapur, District-
Saran (Bihar)

.... Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Birju Prasad, Advocate Mrs. Priya Chaubey, Advocate Mr. Ravi Kumar, Advocate Mr. Ashok Kumar, Advocate
For the Opposite Party/s	:	Mr. Damodar Prasad Tiwary, APP Mr. Dhananjay Mishra, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL JUDGMENT

Date: 24-07-2017

1. This application under Section 482 of the Code of Criminal Procedure has been filed for quashing the order dated 10.02.2012 passed by the Sub-Divisional Judicial Magistrate, Chapra, in Trial No.354 of 2011/322 of 2012 arising out of Taraiya P.S. Case No.84 of 2000 by which discharge petition filed by the petitioners under Section 239 Cr.P.C. has been rejected.

2. Counsel for the petitioners as well as Opposite Party No.2 submits both petitioner-husband as well as Opposite Party No.2-wife have married with different person and are living happily



by separating themselves from each other.

3. In such circumstances, this application is disposed off with a direction to the parties to appear in the Court below and file appropriate application stating that, now, both the parties have married with different persons and are leading conjugal life happily. In the event such an application is filed, the Court below will pass appropriate order expeditiously in accordance with law.

4. This Court, at this stage, does not find any illegality in the impugned order to interfere with the same.

5. This application is disposed off with the aforesaid observation/direction.

(Sanjay Priya, J)

J.Alam/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	08-08-2017
Transmission Date	08-08-2017

