

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.21094 of 2018**

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Lalita Bharti, Daughter of Dr. Upendra Prasad Yadav, Resident of  
Gautamnagar Gangajala, P.S. and District-Saharsa.

.... .... Petitioner/s

Versus

1. The State of Bihar
2. Arun Kumar @ Arun Kumar Yadav, Son of Late Indradeo Yadav,  
Resident of Gonar Lal Lane, Jogsar, P.S.-Adampur, District-Bhagalpur.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Pramod Mishra

For the Opposite Party/s : Mr. Sri Navin Kumar Pandey

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

4      20-06-2018

By an order dated 18.04.2018, notices were issued

to the opposite party no. 2 and office report shows that the  
opposite party no. 2 has personally received the notice, hence the  
service of notice is complete in the present case.

The present petition has been filed seeking  
clarification to the effect that as far as the quashing application i.e.  
Cr.Misc. no. 45508 of 2014 is concerned, the same was filed by  
the accused Arun Kumar @ Arun Kumar Yadav and this Court by  
an order dated 01.11.2017, was pleased to quash the order dated  
12.02.2014 passed in complaint case no. 37C of 2014 by the  
learned Sub-Divisional Judicial Magistrate, Saharsa, by which  
cognizance has been taken for the offence under Section 498A,  
504, 494 of Indian Penal Code as well as Section 3/4 of D.P. Act,



however the learned trial court has construed that the entire complaint case as against the other accused as well has been set aside.

A bare perusal of the order dated 01.11.2017 passed in Cr. Misc. no. 45508 of 2014 would show that the order dated 12.02.2014 passed in complaint case no. 37C of 2014 by the learned Sub-Divisional Judicial Magistrate, Saharsa as also further criminal proceedings emanating there from, had been set aside only vis-à-vis the petitioner of the said case i.e. accused Arun Kumar @ Arun Kumar Yadav.

Having regard to the facts and circumstances of the case, it is clarified that the criminal proceedings arising out of complaint case no. 37C of 2014 has been quashed only as against the petitioner of that case i.e. Arun Kumar @ Arun Kumar Yadav and the said complaint case shall go on as against the other accused persons.

The petition is disposed of.

**(Mohit Kumar Shah, J)**

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