

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.521 of 2019

Arising Out of PS. Case No.-30 Year-2017 Thana- MAHILA P.S. District- Patna

Smt. Priyanka Thakur @ Priyanka Wife of Rajeev Thakur, at present resident of Mohalla- R.P.S. More, Arya Samaj Road, Lane No.4, P.S.- Rupaspur, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Home Department
2. Rajeev Thakur Son of Sri Gangadhar Thakur
3. Gangadhar Thakur Son of Late not known.
4. Manoj Thakur Son of Sri Gangadhar Thakur
5. Ashok Kumar Thakur
6. Pramod Thakur
Both sons of Sri Gangadhar Thakur.
7. Sushma Thakur Wife of Sri Pramod Thakur
All resident of J.P.N. Lane, Jagat Narain Road, Kadamkuan,
P.S- Kadamkuan, District- Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Vinod Kumar, Advocate
For the State : Ms Divya Verma, AC to AAG-3

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 26-03-2019 The sole defect, as pointed out by the registry, is ignored.

Heard Mr. Sanjay Singh, learned counsel for the petitioner and Ms. Divya Verma, AC to AAG-3 for the State.

This application under Article 226 of the Constitution of India has been filed by the petitioner for quashing the order dated 12.10.2018 passed by the learned Additional Chief Judicial Magistrate-VII, Patna in Domestic Violence Case No.



56 of 2017 whereby the learned Additional Chief Judicial Magistrate-VII, Patna has rejected the application filed by the petitioner seeking custody of her two children.

After some arguments, keeping in mind the statutory remedy of appeal as provided under Section 29 of the Protection of women from Domestic Violence Act, 2005, learned counsel for the petitioner seeks leave to withdraw the present writ petition with liberty to seek the statutory remedy available in law.

Leave is granted.

The writ petition is disposed of.

In case, an application for condonation of delay is filed, the court below shall consider and dispose of the same in accordance with law.

(Ashwani Kumar Singh, J)

Md. S/SKSuman.

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