

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.14821 of 2019**

Arising Out of PS. Case No.-183 Year-2016 Thana- PUPRI District- Sitamarhi

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1. MD. JAFIR Son of Abdul Halim Resident of Village - Belmohan, P.S.- Pupri, Distirct - Sitamarhi
  2. Akbari Khatoon Wife of Md Jafir Resident of Village - Belmohan, P.S.- Pupri, Distirct - Sitamarhi
  3. Md. Amir @ Aamir Hussain Son of Md. Jafir Resident of Village - Belmohan, P.S.- Pupri, Distirct - Sitamarhi
  4. Ruhi Khatoon D/O - Md. Jafir Resident of Village - Belmohan, P.S.- Pupri, Distirct - Sitamarhi
  5. Md. Tabir @ Md. Tavar Son of Md. Jafir Resident of Village - Belmohan, P.S.- Pupri, Distirct - Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rummana Khatoon Wife of md. Yasin @ Md. Yasir Resident of Village - Belmohan, P.S.- Pupari, District- Sitamarhi, Presently residing her parental home at Village - Reorha, P.S.- Jaley, District - Darbhanga

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Ashhar Mustafa, Adv.  
For the Opposite Party/s : Mr.Anuj Kumar Shrivastava, APP

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**CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI**  
**ORAL ORDER**

2      15-03-2019                      Heard learned counsel for the petitioners as well as  
learned APP.

Petitioner is aggrieved by an order dated 08.01.2019 passed by SDJM, Pupari relating to Pupri P.S. Case No.183/2016 whereby and whereunder petitioners have been summoned to face trial for an offence punishable under Section 498A of the IPC.

Without advertng to the merit of the case, from the



order impugned, it is evident that there happens to be prevalence of similar activity like executive court having a format duly printed, gaps left at relevant places which has been filled up. Really, such activity could be identified as a judicious one and the relevant order, could be judicial one.

That being so, the order impugned is set aside. Petition is allowed. Matter is remitted back to the learned lower court to pass fresh order.

The Sessions Judge, Sitamarhi is directed to see that no such activity could recur henceforth and further, will furnish report within fortnight after receiving of the order regarding strict compliance thereof. Apart from this, office is also directed to place the matter before the inspecting judge for the needful.

**(Aditya Kumar Trivedi, J.)**

Prakash Narayan

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