

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1134 of 2016

Arising Out of PS. Case No.-492 Year-2016 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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1. Aarti Kumari wife of Nikesh Kumar,
2. Nikesh Kumar son of Sri Kamal Bhagat,
Both are resident of Village Bakhari Nazir, P.S. Mehshi, District East
Champaran.

... .. Petitioners

Versus

1. The State of Bihar through Principal Secretary Department Of Home,
Bihar, Patna.
2. The Superintendent of Police, Muzaffarpur.
3. The Investigation Officer of Muzaffarpur, Sadar P.S. Case No. 492 of 2016.
4. Bindeshwar Kumar Yadav son of Shri Hira Rai, Resident of Nandpura, P.S.
Sadar, District Muzaffarpur.

... .. Respondents

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Appearance :

For the Petitioner/s	:	Mr.Yogesh Chandra Verma, Senior Advocate Mrs.Kumari Anupam, Advocate Mr.Madhav Raj, Advocate
For the Respondent/s	:	Mr.I.A. Niazi, AC to GP-5

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 24-02-2020 This writ application has been preferred by the

petitioners who are said to be the adult and have solemnized

their marriage against the will of their parents. They are facing

prosecution by virtue of the first information report being Sadar

P.S. Case No. 492 of 2016 instituted for the offences under

Sections 363 and 365 of the Indian Penal Code.

Learned counsel for the State has drawn the attention

of this Court towards the statements made in Paragraph '10' of

the counter affidavit wherein it is categorically submitted that

after investigation police has submitted final form bearing No.



759/2016 dated 30.11.2016 as mistake of fact.

This Court has perused the contents of the police final form enclosed with the counter affidavit and is satisfied that the police has completed the investigation and police final form has already been submitted.

In that view of the matter, since the police has submitted a report saying that the case is based on mistake of fact, this writ application need not proceed and it is disposed off accordingly.

(Rajeev Ranjan Prasad, J)

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