

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.7658 of 2023**

Arising Out of PS. Case No.-65 Year-2021 Thana- MAHILA P.S. District- Rohtas

Amit Kumar @ Amit Kumar Dubey @ Pintu Dubey Son Of Jaleshwar Dubey  
R/O Mohalla - Lashkariganj, P.S.- Sasaram (T), District - Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bindu Kumari Daughter of Ramta Prasad R/o Village - Mati, P.S.- Kargahar,  
District - Rohtas at Sasaram.

... .. Opposite Party/s

**Appearance :**

|                         |   |                                   |
|-------------------------|---|-----------------------------------|
| For the Petitioner/s    | : | Mr. Deovind Kumar Singh- Advocate |
| For the State           | : | Mr. Binod Kumar- A.P.P.           |
| For Opposite Party No.2 | : | Mr. Sunil Kumar Sharma- Advocate  |

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      18-10-2023                      1. Heard learned counsel for the petitioner, learned  
  
counsel for the opposite party no.2 and learned APP for the  
  
State.

2. The learned counsel for the petitioner submits that  
  
the present quashing application has been filed seeking  
  
quashing of the F.I.R., being Mahila P. S. Case No. 65 of  
  
2021, registered under Sections 341, 323, 313, 376, 506 and  
  
34 of the I.P.C.

3. The learned counsel for the petitioner next  
  
submits that the petitioner and the opposite party no.2 are  
  
both practicing Advocates at Sasaram Civil Court. It is next



submitted that the informant aged about 29 years instituted the instant F.I.R. alleging that she is an Advocate practicing at Civil Court, Sasaram from 2016 and is also preparing for competitive examination and in the Year 2018, she started her practice under the petitioner as his Junior Advocate. Further, the petitioner developed physical relation with the informant on assurance of marriage and when she pressurized him to marry, he used to sideline the issue and extended the date. Further, she became pregnant twice, but her pregnancy was aborted by the petitioner by giving medicines. It is next alleged that after sometimes, she came to know that petitioner is a married man having children. Accordingly, on 29.07.2021, she confronted the petitioner in the Court, but was brutally assaulted. Accordingly, the F.I.R. was instituted.

4. The learned counsel for the petitioner submits that from bare perusal of the allegation as alleged in the F.I.R., it would manifest that the same does not inspire confidence and at the same time, is lacking in details and appears to be vague. It is next submitted that it absolutely does not stand to reason that the opposite party no.2, who was practicing as a Junior Advocate with the petitioner, was not knowing that he was



married from before. It is next submitted that even presuming what has been alleged is true without admitting, then two consenting adults came together on their own volition, entered into physical relation and when the relationship soured, the present false case came to be instituted.

5. At this stage, the learned counsel for the opposite party no.2 enters the Court Room and submits that he has instructions to make submission on behalf of the opposite party no.2 that the opposite party no.2 does not oppose the quashing application and has no objection in the event, if the F.I.R. is quashed.

6. Considering the submission made by the learned counsel for the opposite party no.2 and without going into the merits of the case, the F.I.R., being Mahila P. S. Case No.65 of 2021 registered under Sections 341, 323, 313, 376, 506 and 34 of the I.P.C. pending in the Court of the learned A.C.J.M.-IX, Sasaram, Rohtas, is hereby quashed.

**(Satyavrat Verma, J)**

vikash/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

