

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44557 of 2023

Arising Out of PS. Case No.-556 Year-2022 Thana- KATIHAR COMPLAINT CASE
District- Katihar

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MD. RIYAZ ALAM SON OF MD. FAZLUR RAHMAN RESIDENT OF
VILLAGE- JADEPUR TOLA, MASSALPUR, PS- BALIA BELONE,
DISTT- KATIHAR

... .. Petitioner/s

Versus

1. The State of Bihar
2. RIFAT KHATOON WIFE OF MD. RIYAZ ALAM RESIDENT OF
VILLAGE- JADEPUR TOLA, MASSALPUR, PS- BALIA BELONE,
DISTT- KATIHAR, AT PRESENT RESIDENT OF VILLAGE- SONAPUR
BAISHBANDHA, PS- BALIA BELONE, DISTT- KATIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Md. Ziaul Quamar, Advocate
For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-08-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. Learned counsel for the petitioner, after some
arguments, seeks permission to withdraw the present quashing
application.

3. Permission is accorded.

4. However, the same would not preclude the
petitioner from raising all the issues before an appropriate forum
at an appropriate stage as it has been submitted by the learned
counsel for the petitioner that petitioner being has been falsely
implicated and he has also filed an application seeking



restitution of conjugal right under Section 9 of the Hindu Marriage Act, it is next submitted that whenever any dispute arises between the husband and wife, a criminal case is instituted.

5. The Court expects that in the event if discharge application is filed on behalf of the petitioner, the Court shall apply its independent mind while considering the same.

(Satyavrat Verma, J)

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