

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22457 of 2024

Arising Out of PS. Case No.-1078 Year-2014 Thana- MADHEPURA COMPALINT CASE
District- Madhepura

MD. RAHMAT @ MD. RAHMAT ALI @ MD. RAHMAT ALAM SON OF
LATE MD. NAIMUDDIN @ NAIM RESIDENT OF VILLAGE -
KHOKHSI, WARD NO. 2, OLD MASJID, P.S. - GWALPARA, DISTRICT -
MADHEPURA

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. AFSANA KHATOON WIFE OF MD. RAHMAT RESIDENT OF
VILLAGE - KHOKHSI, WARD NO. 2, OLD MASJID, P.S. - GWALPARA,
DISTRICT - MADHEPURA. PRESENTLY RESIDING AT C/O. MD.
SFIQUE, RESIDENT OF VILLAGE - BHORRAHA (MUSLIM TOLA),
P.S. - BELDAUR, DISTRICT - KHAGARIA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Singh
For the Opposite Party/s : Mr.Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 12-09-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing on behalf of the State.

2. The present application has been filed for quashing
the order dated 25.01.2026 passed by the learned S.D.J.M.,
Khagaria in Complaint Case No. 1078c of 2014 by which the
cognizance under Section 498-A of the Indian Penal Code and
Section 3/4 of the Dowry Prohibition Act has been taken against
the petitioner.

3. It has been submitted by the learned counsel for the
petitioner that on the same issue, there is an F.I.R. also.



4. In these circumstances, this application is disposed of with liberty to the petitioner to file an application under Section 210 of the Cr. P.C. in the court of the Magistrate.

5. If such an application is filed, the same shall be considered on merits and disposed of in accordance with law within fifteen days from date of its filing.

(Sandeep Kumar, J)

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