

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1260 of 2023

Arising Out of PS. Case No.-215 Year-2022 Thana- UJIYARPUR District- Samastipur

1. Manisha Kumari Wife Of Ravindra Kumar Resident Of Village- Raypur Tola, Havaspur, Ward No. 06, Ps- Ujiyarpur, District- Samastipur
2. Ravindra Kumar Son Of Kusheshwar Paswan Resident Of Ward No. 06, Raypur, Hawaspur, Ps- Ujiyarpur, District- Samastipur, Bihar 848132
3. Kusheshwar Paswan Son Of Dhodhar Paswan Resident Of Ward No. 06, Raypur, Hawaspur, Ps- Ujiyarpur, District- Samastipur, Bihar 848132
4. Dharamsheela Devi Wife Of Kusheshwar Paswan Resident Of Ward No. 06, Raypur, Hawaspur, Ps- Ujiyarpur, District- Samastipur, Bihar 848132

... .. Petitioner/s

Versus

1. The State Of Bihar, Through The Home Secretary, Govt. Of Bihar, Patna Bihar
2. The Director General Of Police (dgp), Government Of Bihar, Patna Bihar
3. The Inspector General Of Police, Tirhut Range, Muzaffarpur Bihar
4. The Superintendent Of Police, Samastipur Bihar
5. The Deputy Superintendent Of Police- Hq, Samastipur Bihar
6. The Officer-In-Charge, Ujiyarpur, Police Station, Samastipur Bihar
7. Sita Ram Jha Son Of R/O Village- Raypur Tola, Havaspur, Ward No. 06, Ps- Ujiyarpur, Dist- Samastipur, Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Aatish Kumar, Advocate Mr. Pankaj Kumar, Advocate
For the Respondent/s	:	Mr. Suman Kumar Jha, AC to AAG-3

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 06-05-2024 Heard the parties.

2. Learned counsel for the petitioners is permitted to delete the name of petitioner no. 1 as she has no locus to file this application.

3. The prayer is allowed.



4. The name of Manisha Kumari is treated to be deleted and now this application is confined to petitioner nos. 2 to 4 only.

5. The petitioners have moved the Court for the following reliefs:

“(i) For the quashing of FIR [FIR No. 5133017220215] registered in connection with Ujiyarpur P.S. Case No. 215/22 dated 13.06.2022, District - Samastipur registered u/s 363, 366-A, 504, 506 & 34 of Indian Penal Code, 1860, pending in the court of learned S.D.J.M., Dalsinghsarai, District - Samastipur.

(ii) To stay the ongoing judicial proceedings initiated against the petitioners in connection with Ujiyarpur P.S. Case No. 215/22 dated 13.06.2022, District Samastipur. Furthermore, prohibiting the Respondents from taking any coercive action against the Petitioners and their family members in connection with the said FIR.

(iii) To direct Respondent No. 1 to 6 to provide necessary protection measures to Petitioners against any person or entity threatening, harassing, or causing harm to them.

(iv) For any other reliefs to which the petitioners be found entitled in the facts and circumstances of this case and in the eye of the law.”

6. So far as the petitioner nos. 2, 3 and 4 are concerned, they are accused in Ujiyarpur P.S. Case No. 215 of 2022. Learned counsel for the State has produced a copy of the statement of Manisha Kumari from which it appears that Manisha Kumari has eloped with Ravindra Kumar.



7. The respondent no. 7 has received notice but he has chosen not to appear. Hence, no useful purpose will be served by keeping the matter pending.

8. In view of the statement of Manisha Kumar that she had eloped with Ravindra Kumar and got married with him and considering the facts that both the parties are major, this application is allowed.

9. Accordingly, the FIR vide FIR No. 5133017220215 registered in connection with Ujiyarpur P.S. Case No. 215 of 2022 and all consequential proceedings arising out of the aforesaid FIR are hereby quashed.

(Sandeep Kumar, J)

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