

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1388 of 2023

Arising Out of PS. Case No.- Year-0 Thana- District- Bhojpur

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Bittu Kumar, Son of Prameshwar Saw, Resident of Ward No. 8, Raja Bazar,
Bihiyan, P.S- Bihiyan, District- Bhojpur.

... .. Petitioner

Versus

1. The State of Bihar through the Director General of Police, Govt. Of Bihar, Patna.
2. The Director General of Police, Govt. Of Bihar, Patna.
3. The Superintendent of Police, Bhojpur at Ara.
4. The Station House Officer, Bihiyan Police Station, District- Bhojpur.
5. Daya Shankar Sharma, Resident of Ward No. 7, BSNL Tower Road, Bihiyan, P.S- Bihiyan, District- Bhojpur.
6. Rakhi Kumari, Wife of Bittu Kumar, Daughter of Daya Shankar Sharma, at present residing in Ward of Village- Ward No. 7, BSNL Tower Road, Bihiyan, P.S- Bihiyan, District- Bhojpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Bibhakar Tiwary, Advocate
For the Respondent/s	:	Mr. P.K.Shahi, Learned A.G
		Mr. P.N. Sharma, AC to learned A.G

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

Date : 09-01-2024

Pursuant to our previous order, Respondents No. 5 and 6 are present in the Court. We posed questions to Respondent No.6 to the extent whether has she married with the petitioner for which she has denied. In other words, it is a disputed fact as to whether petitioner married with the 6th



Respondent Rakhi Kumari or not? 6th Respondent Rakhi Kumari is a major aged about 24 years and she is residing with her parents. Therefore, it is not a fit case for entertaining the present petition and grant relief to the petitioner.

2. Accordingly, the present petition stands disposed of as not maintainable. Disposal of the present petition would not be a hurdle for the petitioner to invoke appropriate remedy under the Hindu Marriage Act before appropriate forum.

3. Accordingly the present petition stands disposed of.

(P. B. Bajanthri, J)

(Ramesh Chand Malviya, J)

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CAV DATE	
Uploading Date	
Transmission Date	

