

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71572 of 2024

Arising Out of PS. Case No.-90 Year-2024 Thana- DOMESTIC VIOLENACE District- Patna

Jitendra Kumar Yadav Son of Sri Tileshwar Prasad Yadav @ Vileshwar Prasad Yadav R/O Mohalla- Chiraiyatand Road no. 1, Near Devi Asthan, Postal Park, P.O.- Patna GPO,P.S- Jakkanpur, Dist.- Patna, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mona Kumari D/O Late Ram Nandan Mahto R/O Vill.- Angra, P.S.- Anti, Dist.- Gaya, Bihar. Also at Mohalla- Ram Krishna Nagar, House of Lakhi Singh, Khemni Chak, P.S.- Ram Krishna Nagar, Dist.- Patna, Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. P. N. Shahi, Sr. Advocate
		Mr. Bhola Kumar, Advocate
For the Opposite Party/s	:	Mr. Gulnar Begum

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 07-10-2024 Heard learned counsel for the parties.

2. This application has been filed for quashing of the Domestic Violence Case No. 90 of 2024 filed under Sections 5, 12, 18, 19, 20, 22 and 23(2) of the Protection of Women from Domestic Violence Act, 2005 against the petitioner, among others, and the entire proceeding arising out of it which is pending before the Judicial Magistrate, 1st Class, Patna.

3. Learned senior counsel for the petitioner has raised maintainability issue and has submitted that from the averment made in the complaint, no case under Domestic Violence Act is made out.



4. The ground raised by learned senior counsel can be raised in the court of Magistrate and if such an application is filed the same shall be considered and decided by the learned Magistrate.

5. With the aforesaid observation and direction, this application is disposed of.

(Sandeep Kumar, J)

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