

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31637 of 2024

Arising Out of PS. Case No.-91 Year-2023 Thana- SULTANGANJ District- Patna

Rohit Kumar Singh S/o Late Nand Kishor Singh R/o Mohalla - Mahendru,
P.S. - Sultanganj, Distt. - Patna (Bihar)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anita Devi W/o Late Upendra Singh R/o vill - Narayan Puri, Sabri Nagar,
P.S. - Rupaspur, Distt. - Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akash Kumar Mishra, Advocate
For the Opposite Party/s : Mr.Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 20-02-2025 Heard learned counsel for the parties.

2. The present petition has been filed on behalf of the petitioner for quashing the cognizance order dated 25.01.2024 passed by learned Sub-Divisional Judicial Magistrate, Patna City in connection with Sultanganj P.S. Case No. 91 of 2023, whereby learned Magistrate has taken cognizance against the petitioner under sections 304B/201/34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

3. The matter was taken up on board for considering the petition bearing I.A. No. 01/2025 for correction in certain



paragraphs of the main petition, wherein the name of police station was wrongly typed.

4. During the course of argument, it transpires that matter relates with offence under section 304B of the I.P.C. and not for offence under section 498A I.P.C., which was concealed on the last occasion. Under such impression, order no. 2 dated 04.02.2025 was passed.

5. After short argument, learned counsel appearing for the petitioner seeks permission to withdraw the present quashing petition as to raise all such issues before learned trial court itself at appropriate stage.

6. Request allowed.

7. Accordingly, present petition stands dismissed as withdrawn with aforesaid liberty.

8. In view of the aforesaid, there is no need to pass any separate order *qua* I.A. No. 01/2025. Accordingly, same stands disposed of.

(Chandra Shekhar Jha, J)

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