

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1538 of 2024

Arising Out of PS. Case No.-1070 Year-2023 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

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Noor Ayesha W/o Md. Abul Kalam R/o Village Madhopur Sultanpur (Thahar)
P.S.- Runni Saipur, District- Sitamarhi

... .. Petitioner

Versus

1. The State of Bihar through the Director General of Police, Bihar, Patna Bihar
2. The Superintendent of Police, Sitamarhi Bihar
3. The S.H.O. Runni Saidpur Police Station, Distt. - Sitamarhi Bihar

... .. Respondents

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Appearance :

For the Petitioner : Mr. Md. Shamimul Hoda, Advocate
For the Respondents : S.C.- 4

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 26-06-2025 Heard learned counsel for the petitioner and

learned counsel for the State.

2. This criminal writ application has been filed

for the following reliefs:-

“i. For quashing / setting aside the illegal order dated 19.02.2024 passed by the learned C.J.M., Sitamarhi, in Complaint Case No.1070/2023, by which he has been pleased to reject the complaint filed by the petitioner stating that the complaint has not been filed in accordance of law as well as the offences alleged under sections 279, 337, 338, 304(A) of IPC cannot apply on the all accused and finally the complaint filed



by the petitioner has been illegally rejected without considering the law laid down by the Apex Court.

- ii. *For direction/directions, order/orders to the respondents to register F.I.R. on the basis of representation sent by the petitioner on 05.07.2023 to the Superintendent of Police, Sitamarhi as well as S.H.O. Runni Saidpur along with relevant documents.”*

3. This criminal writ application is permitted to be withdrawn with liberty to the petitioner to file criminal revision in the Court below. If such criminal revision is filed, the same shall be considered and decided by the Court below on merit after condoning the delay, if any, in filing the revision considering the fact that the petitioner was pursuing his remedy before this Court under criminal writ jurisdiction.

4. The certified copy of the complaint petition and the impugned order shall be returned to the learned counsel for the petitioner after he furnishes the photocopies of the above documents.

(Sandeep Kumar, J)

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