

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13627 of 2019

Arising Out of PS. Case No.-48 Year-2014 Thana- MAHILA P.S. District- Nawada

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Avinash Kumar @ Pintu Kumar Son Of Shiv Shankar Garay, Resident Of Village-Lal Bigha, P.S.-Kashipur @ Kashichak, (Shahpur O.P.) District-Nawada.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Munni Kumari Wife Of Avinash Kumar @ Pintu Kumar, Daughter Of Bipin Prasad, Resident Of Village-Lal Bigha, P.S.-Kashipur @ Kashichak, (Shahpur O.P.) District-Nawada, At Present Residing At Village Jhaur, P.S. Warsaliganj, District-Nawada.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Niraj Kumar, Advocate

For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR

ORAL ORDER

2 02-02-2026 Heard the parties.

2. This application has been filed for setting aside the order dated 20.01.2016 passed by the Judicial Magistrate, 1st Class, Nawada in Nawada Mahila P.S. Case No. 48 of 2014 by which cognizance was taken under Sections 498A of the Indian Penal Code.

3. The impugned order dated 20.01.2016 has been challenged by the petitioner in this Court in the year 2019 i.e., after an inordinate delay.

4. In view of the above, this application is dismissed solely on the ground of delay and laches with liberty to the



petitioner to raise all the grounds at the stage of discharge/at an appropriate stage.

5. If such an application is filed, the same shall be considered by the Court below in view of the law laid down by the Hon'ble Supreme Court in the case of ***Kanchan Kumar Vs. The State of Bihar*** reported in ***(2022) 9 SCC 577***.

6. Let a copy of this order be communicated to the Principal District & Sessions Judge, Nawada through FAX for its compliance forthwith.

(Sandeep Kumar, J)

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