

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47279 of 2018

Arising Out of PS. Case No.-1209 Year-2004 Thana- MUZZFARPUR COMPLAINT CASE
District- Muzaffarpur

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1. Pramod Pathak @ Pappu Pathak @ Pramod Kr. Pathak and Ors son of Bhagya Narayan Pathak
 2. Jaso Devi @ Jailas Devi wife of Bhagya Narayan Pathak
 3. Bhagya Narayan Pathak son of Late Jagannath Pathak resident of Village- Kharauna Dih, P.S.- Kudhni, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. State Of Bihar
2. Soni Devi Wife of Pramod Pathak @ Pappu Pathak (now divorcee) and daughter of Pawan Jha, resident of Kharkhar, P.S. Minapur, District- Muzaffarpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Narain Sinha
For the Opposite Party/s : Mr.Sri Binod Kumar 3

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 13-01-2026 Heard the parties.

2. This application has been filed on behalf of the petitioners against the order dated 17.04.2018 passed in Complaint Case No. 1209 of 2004 by which the learned Sub-Divisional Magistrate, East, Muzaffarpur has refused to discharge the petitioners in terms of Section 245 of the Cr.P.C.

3. From the statement made in this application on behalf of the petitioners, it appears that after taking alimony, the opposite party no. 02 is not appearing in the Court below despite service of notice.



4. In view of the above, this application is disposed of with a direction to the Court below that if the opposite party no. 02 does not appear in the matter for the next two months after communication of this order to the Court below then the proceedings against the petitioners shall be closed.

5. Let a copy of this order be communicated to the Principal District and Sessions Judge, Muzaffarpur through FAX for its compliance.

(Sandeep Kumar, J)

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