

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2347 of 2025
In
CRIMINAL REVISION No.267 of 2018

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Alka W/o Sri Ranjan Kumar Rao and D/o Sri Kamleshwari Prasad Singh, R/o
Near Pir Baba, New Shivpuri Colony, P.S.-Tilkamanjhi, District-Bhagalpur.

... .. Petitioner/s

Versus

1. The Union of India through Sri Milind K. Deouskar, G.M. Eastern Railway
1st Floor, 17, N.S. Road, Fairlie Place, Kolkata, West Bengal, Pin Code-
700001.
2. Sri Manish Kumar Gupta, the Divisional Railway Manager (DRM), Eastern
Railway, DRM Building, Malda, P.O. Jhaljalia, West Bengal, Pin Code-
732102.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Jai Prakash Verma, Advocate
For the Opposite Party/s :	Dr. Krishna Nandan Singh, Sr. Advocate, ASGI Mr. Shivaditya Dhari Sinha, Sr. Panel Counsel

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CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

3 18-03-2026 This contempt application has been filed by the

petitioner of Criminal Revision No. 267 of 2018, taking

advantage of some observation made by this Court while

disposing of the above-mentioned Criminal Revision in

paragraph nos. 13 and 14 of the judgment.

2. It is pertinent to mention here that in a case under

Section 498A of the Indian Penal Code (I.P.C.), the petitioner

challenged that the opposite party/husband had solemnized a

second marriage during the subsistence of the first marriage.

3. Initially, the opposite party/accused was convicted

and sentenced to suffer imprisonment on different accounts for the offence punishable under Section 498A of the I.P.C. The appellant preferred an appeal, the Appellate Court reversed the judgment, against the said order the petitioner preferred the instant revision. While dismissing the revision on the ground that the ingredients of Section 498A of the I.P.C. was not proved only on the allegation that her husband has solemnized a second Marriage, this Court directed the employer of the opposite party to conduct a preliminary inquiry with regard to the allegation that the husband of the petitioner had solemnized a second marriage. The competent authority set up Two Members Committee and after due inquiry informed this Court that the opposite party did not solemnized any second marriage. Taking advantage of the observation made by this Court in Criminal Revision No. 267 of 2017, the petitioner has filed the instant contempt application.

4. It is needless to say that against an order under Section 399 read with Section 401 of the Cr.P.C., no contempt application lies under Article 215 of the Constitution read with Section 12 of the Contempt of Courts Act.

5. Therefore, the instant contempt application being devoid of any merit is dismissed.

6. The petitioner, however, is at liberty to take appropriate action in accordance with law.

(Bibek Chaudhuri, J)

Jyoti Kumari/-

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