

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50578 of 2019

Arising Out of PS. Case No.-417 Year-2014 Thana- BAHADURPUR District- Darbhanga

Ram Shringar Ram, Son of Late Kusheshwar Ram, Resident of Village-Bariyaul, P.S.- Kamtaul, District- Darbhanga, at present working as Class-IV employee, in the office of L.N. Mithila University, Darbhanga.

... .. Petitioner

Versus

1. The State of Bihar
2. Subita Devi, Wife of Binod Ram, Resident of Village-Ojhaul, P.S.- Bahadurpur, District- Darbhanga.

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr. Kaushalesh Choudhary, Advocate
For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL JUDGMENT

Date : 16-07-2026

Heard the parties.

2. The present application has been filed by the petitioner for quashing of order dated 01.09.2018 passed by learned Chief Judicial Magistrate, Darbhanga in Tr. No.212 of 2018/G.R. No.4394 of 2014 arising out of Bahadurpur P.S. Case No.417 of 2014, whereby and whereunder the learned Chief Judicial Magistrate has taken cognizance for the offences punishable under Sections 323, 341 and 354 of the Indian Penal Code (in short 'IPC') against the petitioner.

3. The petitioner has moved before this Hon'ble Court vide Cr. Misc. No.35929 of 2016 for quashing of the



order dated 20.06.2016 passed by learned District and Sessions Judge, Darbhanga in Cr. Rev. No.212 of 2016 and for quashing of order dated 23.01.2016 passed by learned Chief Judicial Magistrate, Darbhanga in Bahadurpur P.S. Case No.417 of 2014 and after hearing the parties, this Court was pleased to quash the aforesaid order dated 20.06.2016 and 23.01.2016, vide judgment and order dated 18.01.2018 passed in Cr. Misc. No.35929 of 2016.

4. The prosecution case, in brief is that on 21.12.2014 at 3 P.M., while the informant was picking wood for fuel, a person came in the garden to attend the call of nature which she identified as Ram Shringar Ram, son of Late Kusheshwar Ram, Resident of Village-Bariyoul, P.S.- Kamtaul, District-Darbhanga, who was working as a peon in the Mithila University. It was further alleged that his sister's marriage was solemnized with Ram Chandra Ram of Dihlahi and she's acquainted to him and used to visit the home of Ram Chandra Ram at Dihlahi. It is further alleged by informant that the petitioner went near the informant and started cracking jokes with her, which she objected,



whereafter, the petitioner after some time in course of talking developed malicious intent, pushed her on the ground of the garden and thereafter tried to open her saree, and attempted to commit rape forcibly. But, as the informant shouted, many people rushed towards her, whereupon the said Ram Shringar Ram fled away. It is further alleged that she has narrated the entire story to her family members. Whereupon, her husband went to Dihlahi village and enquired about the said occurrence with Ram Chandra Ram, brother-in-law of the petitioner who said that character of his *sala* is bad, therefore, whatever you want to do, you may do. Thereafter, the informant submitted her application to the Officer-in-charge, Bahadurpur.

5. On the basis of aforesaid *fardbeyan*, Bahadurpur P.S. Case No.417 of 2014 has been instituted against the petitioner under Sections 376/511 of the IPC.

6. The police after investigation, submitted final form, but learned C.J.M. taking a different view took cognizance for the offences punishable under Sections 323, 341 and 354 of the IPC.



7. It is submitted by learned counsel appearing for petitioner that vide order dated 01.09.2018, the learned C.J.M. took cognizance for the offences punishable under Sections 323, 341 and 354 of the IPC against the petitioner. It is submitted that except Section 354 of the IPC, rest of the offences are compoundable. It is submitted that in between good sense prevailed between the parties and with interference of well wishers, the parties arrived on compromise *qua* offence punishable under Section 354 of the IPC also. In this connection, learned counsel has drawn attention of this Court towards Annexures-8 series of supplementary affidavit dated 18.03.2024.

8. O.P. No.2 has received notice personally but, she failed to join the pending proceeding.

9. In view of aforesaid factual submissions and by taking note of fact that the dispute between the parties has settled, as they intended to compound the offences under Section 354 of the IPC, in view of Annexure-8 series, as discussed aforesaid, the impugned order dated 01.09.2018 passed by learned Chief Judicial Magistrate, Darbhanga in



Tr. No.212 of 2018/G.R. No.4394 of 2014, arising out of Bahadurpur P.S. Case No.417 of 2014 is hereby quashed/set aside *qua* petitioner to secure the ends of justice.

10. The application stands allowed.

11. Let a copy of the order be communicated to the concerned trial court forthwith.

(Chandra Shekhar Jha, J.)

Sanjeet/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	16-07-2026
Transmission Date	16-07-2026

