

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17812 of 2015

Arising Out of PS.Case No. -2697 Year- 2014 Thana -GOPALGANJ COMPLAINT CASE District-
GOPALGANJ

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1. Shafiullah Siddiqui @ Shafiullah son of Late Ali Hussain
2. Maimullah Siddiqui Son of late Ali Hussain
3. Nazma Khatoon wife of Shafiullah siddiqqi@Shafiullah
4. Inayatullah@Nemtullah@Bony son of Safarullah
All Residents of Village- Gausihata, Police Station- Barharia, District-
siwan.

.... Petitioner/s

Versus

1. The State of Bihar
2. Sabnam Praveen wife of Inayatullah@Jamtullah@Bony D/o at present
Resident of C/o Nasrul Haque Hall, Narayanpur, Police Station-Thawe,
District- Gopalganj.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate

For the Opposite Party/s : Mr. Satyavrat Verma(App)

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**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR
SINGH**

ORAL ORDER

2 27-04-2015 The present application under Section 482 of the

Code of Criminal Procedure has been filed for quashing the

order dated 03.03.2015 passed by the learned Sub-Divisional

Judicial Magistrate, Gopalganj in Complaint Case No. 2697 of

2014 whereby the learned Sub-Divisional Judicial Magistrate,

Gopalganj finding a prima facie case to be made for the offences

punishable under Sections 323, 498A of the Indian Penal Code

and Sections 3/4 of the Dowry Prohibition Act, has summoned

the petitioners to face trial.

The aforesaid order dated 03.03.2015 has been

passed after taking into consideration not only the complaint

filed by the complainant but also the statement of the complainant on oath and of other witnesses recorded under Section 202 of the Code of Criminal Procedure. The petitioners have not brought on record the statement of the complainant or witnesses recorded before issuance of summons.

In that view of the matter, I am not inclined to entertain this application on merits. Accordingly, the application is disposed of with the liberty to the petitioners to file another application in the same subject matter before this Court along with all the relevant documents.

(Ashwani Kumar Singh, J)

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