

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.47496 of 2014

Arising Out of PS.Case No. -823 Year- 2013 Thana -SITAMARHI COMPLAINT CASE District-
SITAMARHI

- =====
1. Kumari Anita @ Kumari Amita @ Anita Kumari wife of Shri Rajesh Kumar Rai
 2. Rajesh Kumar Rai son of Shri Trilok Rai @ Trilok Raut, Both residents of Vill.- Bagia, P.S.- Jaleshwar District- Mahotri (Nepal) Local Resident of Mohalla- Ghaushala Road, Town and P.S.+ District- Sitamarhi
 3. Chandra Kishore Chaudhary son of Late Umesh Chandra Chaoudhary @ Gopal Babu Resident of Village and P.S. Khirhar, District- Madhubani

.... Petitioner/s

Versus

1. The State of Bihar
2. Renu Sinha, wife of Late Kumar Chandra Mani, Resident of Mohalla- Ghaushala Road, Ward No. 4, Town + P.S. + District- Sitamarhi. Presently residing at village- Rewasi, P.S. Riga, District- Sitamarhi

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

=====

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 10-09-2015

The petitioners who are in-laws seek quashing of the order dated 30.06.2014 passed by the learned Sessions Judge, Sitamarhi in Cr. Revision No. 24 of 2014 by which he has affirmed the order dated 06.08.2014 passed by the S.D.J.M, Sadar Sitamarhi in Complaint Case No. C-1/823 of 2014 by which he had taken cognizance against the present petitioners.

The case of the complainant is that after she was married to late Kumar Chandra Mani in 1999, she reached the matrimonial home and lived peacefully for 3-4 months. Thereafter, the in-laws

changed their behaviour and started torturing her for various reasons.

Evidently, her husband died sometime in 2010 on account of some ailment after which she wanted to adopt a female child but the in-laws opposed it and started torturing her and ousted her from the matrimonial home.

It is submitted that it is impossible to believe that a person would be tortured for ends of dowry for such a long period. The in-laws have never refused her stay in the matrimonial home.

On the other hand, the complainant submits that since the petitioners are in-laws they are duty bound to keep her well and hence they be put on trial.

Considering the nature of relationship, the application is allowed and the order dated 30.06.2014 passed by the learned Sessions Judge, Sitamarhi in Cr. Revision No. 24 of 2014 and the order dated 06.08.2014 passed by the S.D.J.M, Sadar Sitamarhi in Complaint Case No. C-1/823 of 2014 are hereby set aside.

(Anjana Prakash, J)

Prakash/-

U		T	
---	--	---	--