

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.12587 of 2013

Arising Out of PS.Case No. -55 Year- 2011 Thana -VIJAYPUR District- Gopalganj

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1. Ramadhar Yadav son of Late Garju Yadav
2. Chandrawati Devi wife of Ramadhar Yadav
3. Vijay Yadav @ Vijay Kumar Yadav son of Ramadhar Yadav
All are of residents Village Kutiya, Police Station - Vijaipur, District - Gopalganj
..... Petitioners

Versus

1. The State of Bihar
2. Manju Devi, wife of Dilip Yadav, Daughter of Keshav Yada, Resident of Village - Kutiya, Police Station - Vijaipur, District - Gopalganj, At present resident of Village - Tatayar Khurd, Police Station - Khampar, District - Deoriya (U.P.)
..... Opposite Parties

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Appearance :

For the Petitioners : Mr. Buxy S.R.P. Sinha, Sr. Advocate
Mr. Lokesh Kumar Singh, Advocate
For the State : Mr. Jitendra Kumar Singh, APP
For the O.P. No. 2 : Mr. S.S. Dwivedi, Sr. Advocate
Mr. Rakesh Chandra,
Mr. R.K. Dubey
Mrs. Sangeeta Sharma, Advocates

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 21-05-2015

Heard learned senior counsel for the petitioners, learned APP for the State and also learned senior counsel for the opposite party no.2.

2. The present petition has been filed for quashing the order dated 21.02.2012 passed by the learned Chief Judicial Magistrate, Gopalganj taking cognizance in connection with Vijaipur P.S. Case No. 55 of 2011 for the offences under Sections 498A, 323 and 494/34 of the Indian Penal Code against the petitioners.

3. According to the prosecution case, the husband of the

complainant as well as the petitioners being the father-in-law, mother-in-law and elder brother-in-law of the complainant demanded a sum of Rs.2,00,000/- for the purpose of husband's business at Delhi and started torturing her for non-fulfillment of the same.

4. Considering the stage of the case and also that a prima facie case has been found against the petitioners having regard to the accusations in the complaint and the materials available on record, this Court is not inclined to interfere with the impugned order at this stage. The application accordingly stands dismissed.

5. The petitioners will be at liberty to raise all points appropriately at the time of framing of charges.

(Vikash Jain, J)

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