

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.462 of 2015

Arising Out of PS.Case No. -926 Year- 2009 Thana -COMPLAINT CASE District- KISANGANJ

1. Muzahid Alam son of Akbar resident of Dharampur Genabari, Police Station - Goyalpokhar, District - Uttar Dinajpur (West Bengal), (Husband)

.... Petitioner/s

Versus

1. The State of Bihar
2. Sitara Begum wife of Muzahid Alam and daughter of Basiruddin resident of Patkoi Hat, Police Station - Kochadhaman, District - Kishanganj

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dilip Kumar Singh, Adv.

For the Opposite Party/s : Mr. B.N.Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 18-08-2015

Heard learned counsel for the petitioner and learned counsel for the State.

By filing the present application under section 482 of the Code of Criminal Procedure, the petitioner seeks quashing of the order dated 14.05.2010 passed by the learned Sub Divisional Judicial Magistrate, Kishanganj, whereby, finding a prima facie case to be made out under section 498-A of the Indian Penal Code, the petitioner has been summoned to face trial.

The allegations made in the complaint do attract ingredients of the offence alleged. The complainant has corroborated her version in her statement on oath recorded under section 200 of the

Code of Criminal Procedure. In course of enquiry, two witnesses, namely, Roshni and Noor Jahan have been examined under section 202 of the Code of Criminal Procedure, who have also corroborated the case of the complainant.

In that view of the matter, I find no illegality in the impugned order dated 14.05.2010. Accordingly, the application, being devoid of any merit, is dismissed.

(Ashwani Kumar Singh, J)

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