

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No. 35740 of 2014**

Arising out of P.S. Case No. -2261 Year- 2013 Thana -SIWAN  
COMPLAINT CASE District- SIWAN

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1. Dashrath Prasad Son of Chandrama Prasad.
  2. Chandrama Prasad Son of Late Hari Charan Prasad.
  3. Vidyarthi Devi Wife of Chandrama Prasad.
  4. Amarjeet Kumar @ Amarjeet Prasad S/o Chandrama Prasad.
  5. Amrit Kumar @ Amrit Prasad Son of Chandrama Prasad.
  6. Ranjeet Kumar @ Ranjeet Prasad Son of Chandrama Prasad.
  7. Indu Kumari daughter of Chandrama Prasad.
  8. Sindhu Kumari daughter of Chandrama Prasad All Resident of Village- Aprad, Maharajganj, P.S.- G.B. Nagar, District- Siwan.
- .... .... Petitioner/s

Versus

1. The State of Bihar.
2. Anita Devi Wife of Dashrath Prasad, D/o Chandradeo Prasad Resident of village- Satwar, P.S.- G.B. Nagar Tarwara, District- Siwan.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Bijay Prakash Singh, Adv.  
For the Opposite Party/s : Mr. APP.

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**CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH**

ORAL JUDGMENT

**Date: 17-09-2015**

Learned Counsel for the Petitioners is permitted to withdraw the application of Petitioner No. 1, Dashrath Prasad to avail his other remedies in accordance with law.

The rest of the Petitioners who are the in-laws seek quashing of the order of cognizance dated 07.11.2013 passed by the Sub-divisional Judicial Magistrate, Siwan in Complaint Case No. 2261 of 2013.

The case of the Complainant is that she was married to the Petitioner No. 1 on 02.06.2011 after which

she went to her matrimonial home where she was tortured her for ends of dowry.

It has been submitted on behalf of the Petitioner that fact of the matter is that there was some incompatibility between the husband and wife which has led to institution of the present Complaint.

On the other hand, Counsel for the Complainant submits that since the Petitioners had tortured for demands of dowry they should be put on trial.

Having considered the nature of allegations and relation-ship between the parties, the proceeding including the order of cognizance dated 07.11.2013 passed by the Sub-divisional Judicial Magistrate, Siwan in Complaint Case No. 2261 of 2013 is, hereby, set aside so far as the Petitioners No. 2 to 8 are concerned.

The Application stands allowed.

**(Anjana Prakash, J.)**

Vikash/-

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