

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.808 of 2015

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1. Prabhat Kumar, Son of Ram Naresh Jha
2. Ram Naresh Jha, Son of Late Raj Narayan Jha
3. Smt. Raj Kumari Devi, Wife of Ram Naresh Jha
All resident of Village-Nari Kala, Police Station - Tishiauta, P.O.-
Narikhurd, Dist. Vaishali at present Govt. Quarter No., 36/48 Shastri Nagar,
Patna, Police Statonn - Shastri Nagar, Dist.-Patna

.... Petitioners

Versus

1. State of Bihar
2. Smt. Kritika Kumari, Wife of Prabhat Kumar, Resident of Village - Nari
Kala, Police Station - Tishiauta, P.O.-Narikhurd, Dist.-Vaishali at rpresent
Nana Prashann Narayan Choudhary Adarsh Nagar, Road No. 3B, Gram
Panchayat Dhurlakh Police Station, Samastipur, Mohalla - Dist.-Samastipur

.... Opposite Parties

With

Criminal Miscellaneous No.314 of 2015

Arising Out of PS.Case No. -2789 Year- 2011 Thana -VAISALI COMPLAINT CASE District-
VAISHALI (HAJIPUR)

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Swarnim Kumari, D/o Late Jitendra Choudhary Resident of Village-
Fateha,P.S-Bachhawara,District-Begusarai,at present W/o Prabhat Kumar,
R/o Vill.-Nari Kala, P.S-Nari Kund, District-Vaishali

.... Petitioner

Versus

1. The State of Bihar
2. Smt Kirtika Devi, Wife of Prabhat Kumar, Resident of Village-Nari Kala,
P.S-Tishiauta, P.O-Narikund, District-Vaishali, at present Nana Prasann
Narayan Choudhary, Adarsh Nagar, Rd. No.3B, Gram Panchayat Dhur
Lakh P.S-Samastipur Mohalla, District-Samastipur

.... Opposite Parties

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Appearance :

(In Cr.Misc. No.808 of 2015)

For the Petitioner/s : Mr. Satish Narayan Sinha, Advocate

For the Opposite Party/s : Mrs. Gulnar Begum, APP

For the Opposite Party No.2: Mr. J.N. Sinha, Advocate

(In Cr.Misc. No.314 of 2015)

For the Petitioner/s : Mr. Sanjeev Ranjan, Advocate

For the Opposite Party/s : Mr. J. Upadhyay, APP

For the Opposite Party No.2: Ms. Kumari Bandana, Advocate

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 02-12-2015

Heard learned counsel for the petitioners and

learned counsel for the State.

By way of these applications under Section 482 of the Code of Criminal Procedure (For short "Cr. P.C"), the petitioners seek quashing of the order dated 26.03.2014 passed by the learned Sub-Divisional Judicial Magistrate, Hajipur in Complaint Case No. 2789/2011 whereby and whereunder the petitioners have been summoned to face trial for the offences punishable under Sections 498-A of the Indian Penal Code and Section 3 & 4 of the Dowry Prohibition Act. The cognizance of the offence was taken on the basis of the statement of the complainant made on oath under Section 200 of the Cr. P.C. and statements of two inquiry witnesses recorded under Section 202 Cr. P.C.

Neither the statement of the complainant nor the statements of the inquiry witnesses have been brought on record.

In that view of the matter, I find it difficult to appreciate the case of the petitioners on merits.

Accordingly, these applications are dismissed.

The petitioners would be at liberty to file another application in the same subject matter after bringing on record all the relevant documents.

(Ashwani Kumar Singh, J.)

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