

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.50491 of 2012

Arising Out of PS.Case No. 16 Year- 2010 Thana -null District- -

=====

1. Ramanuj Mishra S/O Late Baijnath Mishra
2. Sunita Mishra W/O Sri Ramanuj Mishra, both are R/O Vill-Beri, P.S.-Bikram,
Distt-Patna

.... Petitioner/s

Versus

1. The State Of Bihar
2. Rekha Mishra D/O Om Prakash Mishra R/O Vill-Mahuli, P.S.-Parsha Bazar,
P.O.-Sutha, Distt-Patna

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha, Advocate

For the Opposite Party/s : Mr. Rajendra Singh Shashtri, APP

=====

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 18-08-2015

The Petitioners, who are the cousin parents-in-law of the Opposite Party No.2, seek quashing of the order dated 5.9.2012 passed by the Sessions Judge, Patna in Cr. Revision No.247 of 2012, by which he has affirmed the order dated 21.2.2012 passed by the S.D.J.M., Patna in Parsa Bazar P.S. case No.16 of 2010, by which he has refused to discharge the Petitioners.

The case of the Informant is that she was married to Chandan Mishra on 27.6.2007, on which occasion large number of gifts were given to the in-laws. However as soon as she came to the matrimonial home she was tortured and threatened.

It has been submitted on behalf of the Petitioners that

they being the uncle-in-law and aunt-in-law of the Informant were separate in mess and had no concern with the domestic affairs of the Informant.

On the last occasion notices had been issued to the Opposite Party No.2 but none appears on her behalf.

Considering the vague and general nature of allegations against the Petitioners and their relationship with the Informant, the application is allowed and the proceeding including the order dated 5.9.2012 passed by the Sessions Judge, Patna in Cr. Revision No.247 of 2012 as also the order of non-discharge dated 21.2.2012 passed by the S.D.J.M., Patna in Parsa Bazar P.S. case No.16 of 2010 is hereby set aside so far as the Petitioners are concerned.

(Anjana Prakash, J)

Narendra/-

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