

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 37341 of 2014

Arising out of P.S. Case No. -115 Year- 2010 Thana -
LAHERIMUHALLA District- NALANDA (BIHARSHARIFF)

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1. Ranjit Kumar @ Pappu Singh, Son of Narendra Kumar @ Naresh Singh.
 2. Narendra Kumar @ Naresh Singh, Son of laet Kali Singh.
 3. Sharda Devi, Wife of Narendra Kumar @ Naresh Singh.
 4. Dipu Kumar @ Dipu Singh @ Randhir Kumar, Son of Narendra Kumar @ Naresh Singh.
 5. Bibha Devi @ Bibha Kumari, Wife of Dipu Kumar. All resident of Village-Fatehpur, P.S. Fatehpur, District-Gaya. Petitioner/s
- Versus
1. The State of Bihar.
 2. Ranju Kumari, Wife of Ranjit Kumar @ Pappu Singh, Presently residing at Fatehpur, P.S.-Fatehpur, District-Gaya, having her parental resident at Mohalla-Murarpur, P.S.-Laheri, Maua Fatehpur, District-Nalanda. Opposite Party/s
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Appearance :

For the Petitioner/s : Mr. Kishore Kumar Thakur, Adv.
For the Opposite Party/s : Mr. APP.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL JUDGMENT

Date: 01-10-2015

The application of the Petitioner No. 1, Ranjit Kumar @ Pappu Singh is disposed off with liberty to avail him other remedies in accordance with law.

The rest of the Petitioners who are the in-laws seek quashing of the order of cognizance dated 15.12.2010 passed by the Sub-divisional Judicial Magistrate, Nalanda at Biharsharif in Laheri P.S. Case No. 115 of 2010.

The case of the Informant is that she was married to the Petitioner No. 1 on 25.05.1992 on which occasion large number of gifts were given to the in-laws. When she came to her matrimonial home she was

taunted and tortured for bringing inadequate dowry. The Petitioner No. 1 also started misbehaving with her. In the meanwhile, a child was born who was twelve years of age at the time of institution of the First Information Report.

It has been submitted on behalf of the Petitioners that there was some matrimonial dispute between the husband and wife which has led to institution of the present First Information Report. Presently, the position is that the Informant is living in the same house. Moreover, it is impossible to believe that a person who was married in the year 1992 with a child of twelve years would be tortured for ends of dowry.

On the last occasion, several attempts were taken to reach the Informant but to all of no avail.

Having considered the duration of marriage and the relation-ship of the present Petitioners and the vague allegations against them, the proceeding including the order of cognizance dated 15.12.2010 passed by the Sub-divisional Judicial Magistrate, Nalanda at Biharsharif in Laheri P.S. Case No. 115 of 2010 is, hereby, set aside so far as the Petitioners No. 2 to 5 are concerned.

The Application stands allowed.

(Anjana Prakash, J.)

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