

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18398 of 2015

Arising Out of PS.Case No. -905 Year- 2012 Thana -PATNA COMPLAINT CASE District-
PATNA

=====

1. Abdullah Khan @ Md. Abdullah Khan son of Abdul Matalib Khan
2. Motalib Khan @ Abdul Motalib Khan son of late Nabbu Khan
3. Munisha Khanum wife of Motalib Khan All resident of village- Karbala Bazar, Lhowan Road, P.S. Barharia, district- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Rasida Khatoon wife of Mohammad MAhmood Alam Khan, resident of mohalla- Alamganj Noorani Bagh colony, 5 B, P.S.- Alamganj, Post Gulzarbagh, District- Patna.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Javed Aslam
For the Opposite Party/s : Mr. Nand Kumar (App)

=====

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 28-04-2015 The petitioners in this application filed under section 482 of the Code of Criminal Procedure seeks quashing of the order dated 05.02.2013 passed in C.A. No. 905 of 2012 by which the learned Sub-Divisional Judicial Magistrate, Patna City has taken cognizance of the offences punishable under Sections 498-A of the Indian Penal Code and $\frac{3}{4}$ of the Dowry Prohibition Act and summoned the petitioners to face trial.

Admittedly, the summoning order has been passed after perusing not only the complaint but also the statement of the complainant recorded on oath as well as the statement of other

witnesses recorded in course of inquiry conducted under Section 202 of the Code of Criminal Procedure. Neither the statement of the complainant nor the statement of witnesses recorded under Section 202 of the Code of Criminal Procedure has been placed on record. In absence of those documents, I am not inclined to entertain this application.

Accordingly, this application is disposed of with a liberty to the petitioners to file another appropriate application before this Court in the same subject-matter after annexing all the relevant documents.

(Ashwani Kumar Singh, J)

Saif/-

U			
---	--	--	--