

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5545 of 2015

Arising Out of PS.Case No. -4087 Year- 2013 Thana -VAISALI COMPLAINT CASE District-
VAISHALI(HAJIPUR)

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1. Ramesh Kumar Singh son of Vasist Singh
2. Vandana Devi @ Sobha Devi wife of Ramesh Kumar Singh, resident of
village-Chakmida, P.O-Sinduari, P.S-Sadar, District-Vaishali

.... Petitioner/s

Versus

1. The State of Bihar
2. Nilu Kumari wife of Vijay Kumar, resident of village- Rasulpur Turki,
P.S-Bhagwanpur, P.O-Asoi, District-Vashali. At present daughter of
Vishwanath Singh, resident of village-Rajapakar (Kushwaha Tola) P.S-
Rajpakar, District-Vaishali.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan No.II, Advocate

For the Opposite Party/s : Mr. Upendra Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR
SINGH**

ORAL ORDER

3 05-08-2015 In the instant application filed under section 482 of the

Code of Criminal Procedure (for short “the Code”), the petitioners
seek quashing of the order dated 25.4.2014 passed by the learned
Sub-Divisional Judicial Magistrate, Vaishali at Hajipur in
Complaint Case No.4087 of 2013 whereby the learned Magistrate
has summoned the petitioners to face trial for the offences
punishable under section 498A of the Indian Penal Code as well as
sections 3 and 4 of the Dowry Prohibition Act.

From perusal of the impugned order dated 25.4.2014 it
would appear that the learned Magistrate has summoned the

petitioners after taking into consideration the statement of the complainant on oath and the statements of the witnesses examined in course of enquiry under section 202 of the Code.

In the present application neither the statement of the complainant nor the statements of the witnesses examined in course of enquiry has been brought on record. In absence of those documents, I find it difficult to adjudicate this application on merit.

In that view of the matter, the application is disposed of with liberty to the petitioners to file another application in the same subject matter after bringing on record all the relevant documents on the basis of which the learned Magistrate passed the impugned order.

(Ashwani Kumar Singh, J)

Md.S./-

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