

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.6882 of 2009

Arising Out of PS.Case No. -0 Year- null Thana -null District- DARBHANGA

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1. Anil Kumar Sah son of late Sri Mahendra Prasad.
 2. Srimati Snehlata W/o Anil Kumar Sah
 3. Anant Kumar son of Sri Yadunandan Prasad Sah.
 4. Sangeeta Kumari W/o Anant Kumar
 5. Dr. Manoj Kumar, son of Sri Ramchandra Sah.
 6. Vinita Kumari W/o Dr. Manoj Kumar.

.... Petitioner/s

Versus

1. State of Bihar.
2. Sarika Kumari D/o Sri Ashok Kumar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.
Mr. Amish Kumar

For the Opposite Party/s : Mr.
Mr. Birendra Kumar
Mr. Ram Das Singh

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL JUDGMENT
Date: 31-08-2015

None appears on behalf of the parties.

The petitioners who are in-laws seek quashing of the order dated 28.01.2009 passed by the Chief Judicial Magistrate, Darbhanga in Laheria Sarai P.S. Case No. 347 of 2006.

The case of the complainant/ informant is that she was married to one Rajeev Kumar on 27.06.2004 after which she was living a happy conjugal life. However, one and half years later the in-laws started demanding dowry and harass her. The husband also started neglecting her and stopped paying maintenance. Despite several calls to settle the dispute her husband avoided the same and the parents

did not intervene to settle the matter. Hence the present first information report has been instituted.

It has been submitted on behalf of the petitioners that they are in-laws and that the husband and wife had got marriage on their own sweet will. The petitioners have no role in that. It will be absurd to say that in-laws inflicted any torture for none fulfillment of dowry. Hence the allegation in the present first information report is general in nature.

Having considered the facts and circumstances of the case and nature of allegation, the application is allowed so far as the petitioners are concerned and the order dated 28.01.2009 passed by the Chief Judicial Magistrate, Darbhanga in Laheria Sarai P.S. Case No. 347 of 2006, is hereby set aside.

(Anjana Prakash, J)

Prakash/-

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