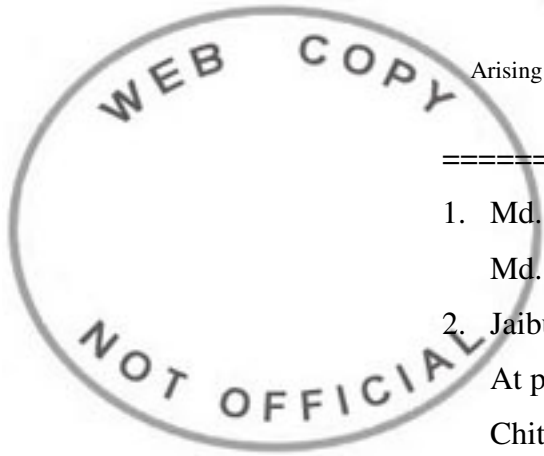


IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6778 of 2015



Arising Out of PS.Case No. -313 Year- 2014 Thana -NALANDA COMPLAINT CASE District-
NALANDA (BIHARSHARIFF)

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1. Md. Umar Farooque Siddique @ Md. Umar Fiyaj Siddique , S/o Late
Md. Fiyaj Siddique.

2. Jaibun Nisa, W/o Late Fiyaj Siddique
At present both are resident of Mohalla-B Sector, G-Line, Room No. 12,
Chita Camp Mumbai-400088, State-Maharashtra.

3. Md. Irsad Siddique @ Irsad Siddique, son of Late Fiayaj Siddique.

4. Zeenat Siddique, W/o Qasad Siddique.
At present both are resident of Mohall-B Sector, G. Line, Room No. 16,
Chita Camp, Mumbai-400088, State-Maharashtra.

5. Md. Masood Siddique @ Maksood Siddique, S/o Late Fiyaj Siddique.

6. Taranum Siddique, W/o Maksood Siddique.
At present both are resident of Mohalla-Rajauli, Dakbanglow, P.S.-
Rajauli, District-Nawada, Bihar.

7. Mr. Jubair Siddique @ Jubair Siddique, S/o Late Fiayaj Siddique
At present resident of Mohalla-B. Sector, G. Line, Room No. 16, Chita
Camp, Mumbai-400088, State-Maharashtra.

All seven petitioners are permanent resident of village-Roh, P.S.-Roh,
P.S.-Roh, District-Nawada, State-Bihar. Petitioner/s

Versus

1. The State of Bihar
2. Gajala Sahin, D/o Sayed Shamim Hamad, resident of Mohalla-Mirdad,
Post-Biharsharif, P.S.-Biharsharif, District-Nalanda at Biharsharif.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate

For the Opposite Party/s : Mr. Anil Pd. Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 06-08-2015

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 10.10.2014 passed by the learned Sub-divisional Judicial Magistrate, Nalanda, Bihar Sharif in Compliant Case No. 313C of 2014 whereby the learned Magistrate has summoned the petitioners after taking cognizance for the offences punishable under Sections 498A, 504 read with 34 of the Indian Penal Code as well as 3 and 4 of the Dowry Prohibition Act.

From perusal of the impugned order dated 10.10.2014, 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.)

Sanjeet/-

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