

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.35952 of 2011

Arising Out of PS.Case No. -0 Year- null Thana -null District- EASTCHAMPARAN(MOTIHARI)

1. Rajanikant Shrivastava Son Of Muktinath Shrivastava Resident Of Mohalla-
New Chandmari, Near Durga Mandir, P.S.- Motihari Town, District- East
Champaran

.... Petitioner/s

Versus

1. The State Of Bihar
2. Saroj Kumar Verma Son Of Nawal Kishore Prasad Resident Of Village & P.O.-
Gangapipras, P.S.- Paharpur, District- East Champaran

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 25-08-2015

The petitioner seeks quashing of the order of cognizance
dated 25.07.2011 passed by the Judicial Magistrate, Motihari in
Complaint Case No. 1762 of 2009.

The case of the complainant is that his wife was enticed
away by the petitioner and hence the present complaint.

It has been submitted by the petitioner that the wife of
complainant was examined during enquiry and she stated that she had
gone along with the petitioner on her own sweet will and did not want
to live with the husband.

Notices had been issued to the O.P. No. 2 but none
appears on his behalf.

Considering the aforesaid, the application is allowed and the order of cognizance dated 25.07.2011 passed by the Judicial Magistrate, Motihari in Complaint Case No. 1762 of 2009 is hereby set aside.

(Anjana Prakash, J)

Prakash/-

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