

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 48789 of 2014

Arising out of P.S. Case No. -621 Year- 2010 Thana -
JEHANABAD COMPLAINT CASE District- JEHANABAD

- =====
1. Shyam Dulari Devi @ Dulari Devi wife of Late Sidhnath Prasad.
 2. Sabita Devi wife of Sunil Kumar.
 3. Sunil Kumar son of Late Sidhnath Prasad.
 4. Suresh Sao @ Suresh Kumar son of Late Sidhnath Prasad All
resident of village - Narhi, P.S. Chandi, District - Ara
- Petitioner/s

Versus

1. The State of Bihar.
2. Ranju Devi wife of Suresh Sao resident of village - Narhi, P.S.
Chandi, District - Ara, At present resident of village - Rampur
Chauram, P.S. Rampur Chauram, District - Arwal.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jharkhandi Upadhyay, Adv.

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

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 16-04-2015

Learned Counsel for the Petitioner seeks
permission to withdraw the application so far as Petitioner
No. 4 is concerned.

The application is dismissed as withdrawn with
regard to Petitioner No. 4.

The rest of the Petitioners who happen to be the
mother-in-law, sister-in-law and brother-in-law of the
Complainant seek quashing of the order of cognizance
dated 18.02.2011 passed by the Judicial Magistrate, 1st
Class, Jehanabad in Complaint Case No. 621 of 2010 (Tr.
No. 1669 of 2013).

The case of the Complainant is that she was

married to the Petitioner No. 4 about eight years ago and she lived in a matrimonial home peacefully where she gave birth to two children as well. However, the Petitioner started demanding of Rs. 1,00,000/- and thereafter ousted her from the matrimonial home.

It has been submitted on behalf of the Petitioners that the allegation does not appear probable that the Opposite Party No. 2 would be tortured for ends of dowry for eight long years and also after birth of two children.

In the facts of the case, I am inclined to agree with the aforesaid submission.

Hence, the proceeding including the order of cognizance dated 18.02.2011 passed by the Judicial Magistrate, 1st Class, Jehanabad in Complaint Case No. 621 of 2010 (Tr. No. 1669 of 2013) is, hereby, set aside so far so the Petitioners are concerned.

The Application stands allowed.

(Anjana Prakash, J.)

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