

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45216 of 2012

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Priti Kumari @ Baby

.... Petitioner/s

Versus

The State of Bihar & Ors

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj

For the Opposite Party/s : Mr. Yogendra Kr.Singh (App)

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER

2 23-04-2015

Heard the learned counsel for the petitioner.

This application has been filed by the petitioner under Section 482 of the Code of Criminal Procedure for setting aside the order dated 8.8.2012 passed by learned Sessions Judge, Jamui in Criminal Revision No.17 of 2012 whereby the Court below refused to interfere with the part of the order dated 17.3.2012 passed by the learned Sub Divisional Judicial Magistrate, Jamui in Complaint Case No.1638(C) of 2011 whereby the Court below refused to take cognizance under Section 498A against the opposite party No.2 and 3.

The learned counsel for the petitioner submitted that the cognizance has been taken against the father and mother-in-law. The husband of the petitioner is elder brother of the opposite party No.2 and 3. The complaint case has not been filed against the

husband because of the fact that the father-in-law, mother-in-law and these opposite party No.2 and 3 were demanding the dowry of Rs.1 lakh for doing business. The Court below wrongly refused to take cognizance against the two opposite party who are Dewar of the petitioner. The revisional Court wrongly rejected the revision application.

Perused the order passed by the trial Court.

It appears that the Court below after perusal of the evidence of the witnesses examined under Section 202 Cr.P.C. recorded a clear finding that there is no prima facie case against the opposite party No.2 and 3. The revisional Court also endorsed the same finding of the Court below. In such view of the matter in exercise of inherent jurisdiction under Article 482 Cr.P.C., I find no reason to interfere with the impugned order and there is no question of grave injustice arises. Accordingly, this Cr. Misc. application is dismissed.

(Mungeshwar Sahoo, J)

Sanjeev/-

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