

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.904 of 2014

Arising Out of Nayagaon PS.Case No. 111 Year2013 Thana -null District- SARAN

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Kumari Renuka, W/o Rajeev Kumar Singh, Presently residing at House No.-44-88/1 Beerappa Nagar, Jagathgirigutta, Quthbullapur, Mandal Ranga Reddy District, Andhra Pradesh.

.... Petitioner/s

Versus

1. The State of Bihar
2. Lal Bahadur, son of not known, Officer-in-Chrg, Nayagaon, P.S. Naya Gaon, Distt. Saran at Chapra.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Sinha, Adv.

For the State : Smt. Anusaiya Jaiswal, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 07-05-2015

Heard learned counsel for the Petitioner and the State.

The Petitioner who is the wife of the accused Rajeev Kumar Singh @ Raju Singh seeks quashing of the order dated 4.9.2014 by which the Judicial Magistrate, 1st Class, Saran at Chapra has issued attachment of property under Section 83 Cr. P.C. in Naya Gaon P.S. Case No. 111 of 2013.

The background facts of the case are that the Petitioner's husband was accused in a case under Section 364A of the Indian Penal Code but was not appearing in the said case on account of his non-appearance. Processes under Sections 82/83 Cr. P.C. were issued.

Whether the Property in which the Petitioner is living and was sought to be attached, is hers or her husband is difficult to decide by this Court.

Hence, this application is disposed off with a direction to the Executing Agency to consider the aforesaid aspect before taking action upon the same.

With this observation, the application stands disposed off.

(Anjana Prakash, J)

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