

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49022 of 2014

Arising Out of PS.Case No. -573 Year- 2010 Thana -GAYA COMPLAINT CASE District- GAYA

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1. Rajni Kant Choubey son of Late Sankracharya Choubey
2. Sandhya Devi @ Sandhya wife of Rajni Kant Choubey
3. Sarika Kumari Daughter of Rajni Kant Choubey All resident of Flat no.
310 Priyambika Apartment, Rash Bihari Path, Vijay Nagar Police Station
Rupaspur, District Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Nisu Choubey wife of Rajeev Ranjan Choubey, Daughter of late Ram
Naresh Upadhyia Resident of Mohalla Telbiga, Rang Bahadur Road, Police
Station Kotwali, District Gaya.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

3 12-03-2015 The petitioners seek quashing of the order dated

25.07.2014 by which the learned S.D.J.M, Gaya has refused to

release the articles of the petitioners in Complaint Case No. 573 of

2010 even though they had appeared in the case.

It has been submitted that the articles were attached

since the husband of the complainant was not appearing even

though the articles were not exclusively owned by him but by the

parents.

Considering the fair prayer of the petitioners, the

application is allowed. The order dated 25.07.2014 passed by the

S.D.J.M, Gaya in Complaint Case No. 573 of 2010 is hereby set

aside. The Magistrate concerned is directed to immediately release the articles in question within a period of three weeks from the date of receipt/production of a copy of this order.

However, this order does not mean that the husband will not appear before the Court.

The Trial Court is directed to take stringent action for ensuring his appearance.

(Anjana Prakash, J)

Prakash/-

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