

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.43612 of 2011

Arising Out of PS.Case No. 426 Year- 2009 Thana -null District- PATNA

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1. Jagdish Prasad Yadav S/O Late Vishwanath Yadav
2. Smt. Veena Devi W/O Jagdish Prasad Yadav, both Resident Of Baliharpur, P.S.-
Pakur, District- Pakur (Jharkhand)

.... Petitioner/s

Versus

1. The State Of Bihar
2. Dolly @ Pinki Kumari W/O Ravi Shankar, D/O Khokhan Ji @ Sri Shyam
Kishore Prasad Rai, Resident Of Nawebghat, P.S.- Khajekallan, Distt.- Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : None
For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP
For Opposite Party No.2 : None

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 11-08-2015

No one appears on behalf of the Petitioners and the
Opposite Party No.2.

The Petitioners, who are parents-in-law of the Opposite
Party No.2, seek quashing of the order of cognizance dated 20.8.2009
passed by the Sub Divisional Judicial Magistrate, Patna City in
Complaint case No.426 of 2009.

The case of the Complainant is that she was married to
the son of the Petitioners on 6.2.2006, whereafter she went to her
matrimonial home. However even after birth of a child on 25.11.2006
she was abused and assaulted and finally thrown out of the

matrimonial home.

The submission of the Petitioners is that it is impossible to believe that any person would be tortured for ends of dowry even after birth of a child. The further submission is that the husband of the Complainant was a Government teacher in Government Middle School at Pakur (Jharkhand). It appears that the main grouse of the Complainant is against her husband, who used to threaten her with a second marriage.

Having considered the aforesaid, the application is allowed and the proceedings so far as the Petitioners are concerned including the order of cognizance dated 20.8.2009 passed by the Sub Divisional Judicial Magistrate, Patna City in Complaint case No.426 of 2009 is hereby set aside.

(Anjana Prakash, J)

Narendra/-

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