

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18542 of 2015

Arising Out of PS.Case No. -284 Year- 2014 Thana -PATNA COMPLAINT CASE District-
PATNA

- =====
1. Bijendra Das son of Late Lakhan Das
 2. Sardha Devi wife of Bijendra Das
 3. Lakho Kumari D/o Bijendra Das All resident of village- Pachmahala P.s. Pandarak Dist. Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Neeru Kumari wife of Mukesh Kumar village- Mora Talab Bena District- Nalanda.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey
For the Opposite Party/s : Mr. Ahmad Ali(App)

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 30-04-2015 The petitioners seek quashing of the order dated 28.07.2014/31.07.2014 passed by the learned Sub Divisional Judicial Magistrate, Barh in Complaint Case No. 284(C) of 2014, whereby, finding a prima facie case to be made out for the offences under sections 498-A of the Indian Penal Code and 3/4 of the Dowry Prohibition Act, the petitioners have been summoned to face trial. The aforementioned summoning order has been passed after perusing the allegations made in the complaint as well as statement of the complainant recorded on oath and the statement of the witnesses recorded in course of enquiry conducted under section 202 of the Code of Criminal Procedure.

Neither the statement of the complainant nor the statement of the enquiry witnesses has been brought on record. In absence of the aforementioned statements, I find it difficult to decide this case on merits.

In that view of the matter, the application is disposed of with liberty to the petitioner to file another application before this Court in the same subject matter after bringing on record all the relevant documents.

(Ashwani Kumar Singh, J)

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