

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.51143 of 2012

Arising Out of PS.Case No. C 1--1451 Year- 2008 Thana –Complaint Case District- Sitamarhi

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1. Ritesh Kumar, son of Late Birendra Kumar Sinha
 2. Asha Sinha, wife of Late Birendra Kumar Sinha
 3. Rajeev Ranjan Sinha, son of Late Birendra Kumar Sinha
 4. Sadhna Sinha wife of Rajeev Ranjan Sinha

All residents of Village - Naya Bazar, Sakichand Road, P.S. Adampur, District - Bhagalpur

.... Petitioners

Versus

1. The State of Bihar
2. Smt. Pratibha Kumari C/o Malti Devi, wife of Late Bhikhari Prasad, resident of Mohalla - Shantinagar, Dumra Road near cotton factory, P.S. Sitamarhi, District Sitamarhi

.... Opposite Parties

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Appearance :

For the Petitioners : Mr. Jitendra Narain Sinha, Advocate

For the State : Mr. Pranav Kumar, APP

For the O.P.No.2 : Mr. Ashok Kumar Jha, Advocate

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 19-05-2015

Heard learned counsel for the petitioners and learned APP
for the State.

2. The present application has been filed for quashing the 26.11.2008 passed by the learned Sub-Divisional Judicial Magistrate, Sitamarhi Sadar in C 1-1451 of 2008 by which the learned Magistrate has taken cognizance of offences under Sections 498A and 323 of the Indian Penal Code and Section 4 of the Dowry Prohibition Act and directed issuance of process against the petitioners.

3. Considering the stage of the case and also that a prima facie case has been found against the petitioners having regard to the

accusations in the complaint and the materials available on record, this Court is not inclined to interfere with the impugned order at this stage. The application, accordingly, stands dismissed.

4. The petitioners will be at liberty to raise all points appropriately at the time of framing of charges.

(Vikash Jain, J)

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