

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 29466 of 2013

Arising Out of PS.Case No. -85 Year- 2009 Thana -AMARPUR District- BANKA

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Shravani Devi @ Shiromani Devi Wife of Shri Gopal Sah Resident of
Village - Amarpur, P.S. - Amarpur, District - Banka

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Baidya Nath Thakur

For the Opposite Party/s : Mr. Madan Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3. 19-12-2016 Heard Sri Bidya Nath Thakur, learned counsel for the
petitioner and Sri Madan Kumar, learned Addl. Public Prosecutor.

The sole petitioner has approached this Court invoking its inherent jurisdiction under Section 482 of the Code of Criminal Procedure, 1973, with a prayer to quash an order dated 29-07-2011 passed in Amarpur P.S. Case No. 85 of 2009. By the said order, the learned Chief Judicial Magistrate, Banka has taken cognizance of offence under Sections 302/201 of the Indian Penal Code.

It was submitted by learned counsel for the petitioner that petitioner is the mother-in-law of the deceased and the husband of the deceased, though was put on trial, has been acquitted. On this very ground, the order of cognizance has been



challenged.

However, at the time of argument, it has not been disputed that petitioner was forwarded as accused in the chargesheet. Only on the ground that main accused has been acquitted in a separate trial, the order of cognizance may not be interfered with.

The petition stands dismissed.

(Rakesh Kumar, J.)

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