

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.22433 of 2015

Arising Out of PS.Case No. -47 Year- 2014 Thana -KHAGARIA COMPALINT CASE District-KHAGARIA

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1. Prasidh Narayan Rai son of Late Janardan Rai
 2. Neelam Devi wife of Prasidh Narayan Rai
 3. Jayant Kumar @ Mukesh Kumar son of Prasidh Narayan Rai All residents of village Matihani, P.S. Matihani, in the district of Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Rima Kumari daughter of Braj Bhushan Choudhary resident of village Kawela P.S. Parbatta, in the District of Khagaria.

.... 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 JUDGMENT

Date: 31-03-2016

The petitioners who are in-laws of the Opposite Party no. 2 seek quashing of the order of cognizance dated 16.06.2014 passed by the Sub-Divisional Judicial Magistrate, Khagaria in Complaint Case No. 47C of 2014.

The case of the complainant is that she was married to Anand Kumar on 13.11.2013 after which she went to matrimonial home but she was tortured for ends of dowry and ousted from the matrimonial home.

It has been submitted on behalf of the petitioners that the Opposite Party no. 2 never stayed with them so there was no instance

of torturing her. All the allegations are completely omnibus.

Counsel for the complainant submits that she was very much wife of Anand Kumar and therefore, the petitioners being his close family members should be put on trial.

Having considered the vague nature of allegations against the present petitioners, the application is allowed and the order of cognizance dated 16.06.2014 passed by the Sub-Divisional Judicial Magistrate, Khagaria in Complaint Case No. 47C of 2014 are hereby set aside so far as petitioners are concerned.

(Anjana Prakash, J)

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