

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.206 of 2011

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1. Uma Shankar Mahto, son of late Mishri Mahto, r/o village Mohaddiganj, PS-Sasaram (M) Distt.Rohtas.
 2. Inarchan Mahto, Alias Indrachand Mahto, son of Late Bhagwan Mahto r/o Mohalla Kesba, Baulia Road, Sasaram, P.S-Sasaram (M) Distt.Rohtas.

.... Petitioner/s

Versus

1. The State Of Bihar
2. Sanju Devi, D/O Budhu Mahto, r/o Mohalla Kasba, Baulia Road, Sasaram PS-Sasaram (M) Distt.Rohtas.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajni Kant Singh, Adv.
Mr. Surendra Kumar Mishra, Adv.
For the State : Mr. Ganesh Pd. Singh, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 29-03-2016

Heard learned counsel for the Petitioners and the State.

The Petitioners seek quashing of the order of cognizance dated 27.4.2009 passed by the Sub Divisional Judicial Magistrate, Sasaram, Distt. Rohtas, in Complaint Case No. 1217 of 2008.

The case of the Complainant is that she was married to the Petitioner No. 1 on 8.5.2005 but when she went to her matrimonial home, she was tortured for ends of dowry and ousted from her matrimonial home.

It has been submitted that the Complainant was married

to another person of which there is a documentary proof vide Annexures 2-3 series and never to Petitioner No. 1 on which notices were issued to the Opposite Party No. 2 but none appears on her behalf.

Having considered that in all probability, she has no grievance to quashing of the present Complaint, the application is allowed and the Proceeding including the order of cognizance dated 27.4.2009 passed by the Sub Divisional Judicial Magistrate, Sasaram, Distt. Rohtas, in Complaint Case No. 1217 of 2008, is hereby, set aside.

(Anjana Prakash, J)

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