

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.31889 of 2013**

Arising Out of PS.Case No. -420 Year- 2011 Thana -KADAMKUAN District- PATNA

- =====
1. Ranjeet Rai @ Munna Neta Son Of Late Kapildeo Rai, Resident Of Village- East Lohanipur, Khadpur, P.S.-Kadamkuan, District-Patna
  2. Nilu Devi Wife Of Ranjeet Rai @ Munna Neta, Resident Of Village- East Lohanipur, Khadpur, P.S.-Kadamkuan, District-Patna

.... .... Petitioners

Versus

The State Of Bihar

.... .... Opposite Party

=====

**Appearance :**

For the Petitioners : Mr. Binod Kumar, Advocate

For the Opposite Party : Mr. Jharkhandi Upadhyay (APP)

---

**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH**

ORAL JUDGMENT

**Date: 03-08-2016**

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

By way of the present application preferred under Section 482 of the Code of Criminal Procedure, the petitioners seek quashing of the order dated 02.05.2012 passed by the Chief Judicial Magistrate, Patna in Kadamkuan P.S. Case No. 420 of 2011, whereby he has taken cognizance of the offence punishable under Section 366A of the Indian Penal Code and Section 3(1)(x) & (xi) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.



It is submitted by the learned counsel for the petitioners that the aforesaid case has been falsely instituted against the petitioners and, as the matter of fact, out of her own sweetwill she had married one Vikas Kumar. It is further submitted that the petitioners are being prosecuted maliciously in the present case and in the ends of justice, it is expedient that the order taking cognizance of the offence be quashed.

I have heard learned counsel for the petitioners and perused the report.

It would be apparent from the allegations made in the F.I.R. that the victim was taken by the petitioners and others on 14.02.2011 on the pretext of going to market. The age of the victim has been mentioned as 14 years in the F.I.R. and since 14.02.2011, the victim is traceless. On completion of investigation, the police have submitted report under Section 173 (2) of the Code of Criminal Procedure against the petitioners and kept the investigation open as against the other accused persons.

From the order impugned, it would appear that after going through the materials available on record, the learned Chief Judicial Magistrate, Patna has summoned the petitioners to face trial for the offences punishable under Section 366A of the Indian Penal Code and Sections 3(1)(x) and (xi) of the Scheduled Castes and Scheduled

Tribes (Prevention of Atrocities) Act.

I find no illegality in the order impugned.

Accordingly, the application, being devoid of any merit,  
is dismissed.

(Ashwani Kumar Singh, J.)

ravi/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|