

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.50874 of 2014

Arising Out of PS.Case No. -27612 Year- 2014 Thana -PATNA COMPLAINT CASE District-
PATNA

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1. Pawan Kumar Sah @ Pawan Kumar Son of Shree Manilal Sah
2. Manilal Sah Son of Late Jamuna Sah
3. Kabita devi Wife of Manilal Sah
4. Sharwan Kumar Sah Son of Manila sah
5. Ranju Devi Wife of Sharwan Kumar Sah All resedent of village Bich Bazar,
Mohiuddin Nagar, P.S - Mohiuddin, District Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar
2. Bina Devi Wife of Pawan Kumar Sah D/o Shree Shiv Shanker Sah Resident of
Mohalla Harnichak, P.S -Beour District Patna

.... 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: 12-05-2016

Learned counsel for the petitioners seeks permission to
withdraw the application so far as the Petitioner no. 1 is concerned to
raise all these points at the relevant stage.

The prayer is allowed.

The rest of the petitioners who are the in-laws of the
Opposite Party no. 2 seek quashing of the order of cognizance dated
06.08.2014 passed in Complaint Case No. 27612C of 2014 by the
Sub-Divisional Judicial Magistrate, Patna.

The case of the complainant is that she was married with

Pawan Kumar, Petitioner no. 1 on 28.02.2011 where after she started residing in her Sasural. However, she was tortured for ends of dowry and thereafter ousted from the matrimonial house.

It has been submitted on behalf of the petitioners that there were some issues between the husband and wife which led to institution of the present case and the petitioners had no role to play in their affairs. Fact is that the instant complaint was filed after three years of the marriage.

On the other hand the complainant submits that since the Petitioner no. 1 did not agree to resolve the dispute, all the family members should be put on trial also the Petitioner no. 1 is not depositing Rs. 750/- per month.

Be that as it may, considering the vague nature of allegations against Petitioners no. 2-5, the application is allowed and the order of cognizance dated 06.08.2014 passed in Complaint Case No. 27612C of 2014 by the Sub-Divisional Judicial Magistrate, Patna is hereby set aside so far as they are concerned

The Court below shall take stringent steps if the Petitioner no. 1 is not depositing the amount fixed by this Court.

(Anjana Prakash, J)

Prakash/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	
Transmission Date	