

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.35764 of 2013

Arising Out of PS.Case No. -115 Year- 2008 Thana -KOCHAS District- SASARAM (ROHTAS)

- =====
1. Ravi Shankar Pandey @ Bhikhari S/O Late Gauri Shankar Pandey Resident Of Village Pithani, P.S. Dinara, District Rohtas.
 2. Munmun Tiwary S/O Late Kedar Tiwary Resident Of Village Dharmapura, P.S. Nokha, District Rohtas (Sasaram).

.... Petitioner/s

Versus

1. The State Of Bihar.
2. Sita Devi D/O Rishimuni Mishra Resident Of Village Harnathpur, P.O. And P.S. Kochas, District Rohtas (Sasaram).

.... 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: 21-04-2016

The petitioners who are the in-laws of the Opposite Party no. 2 seek quashing of the order of cognizance dated 13.01.2009 passed by the Chief Judicial Magistrate, Rohtas, Sasaram in Kochas P.S. Case No. 115 of 2008.

The case of the informant is that she was married with one Sushil Kumar on 09.03.2008 where after she went to the matrimonial home. However, when she returned to the maternal home all the jewelleries and goods were kept by the accused persons and thereafter she was taken to Varanasi for treatment. She was also harassed in various ways.

The submission of the petitioners is that Petitioner no. 1 is the uncle-in-law whereas Petitioner no. 2 is Fufa of the husband of the complainant. Evidently they were living separately and had no reason to interfere in the affairs of the husband and wife.

Considering the relationship of the petitioners with the complainant and the fact that they were living separately, the application is allowed and the order of order of cognizance dated 13.01.2009 passed by the Chief Judicial Magistrate, Rohtas, Sasaram in Kochas P.S. Case No. 115 of 2008 is hereby set aside so far as the petitioners are concerned.

(Anjana Prakash, J)

Prakash/-

AFR/NAFR	NAFT
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