

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 18427 of 2014

Arising Out of PS.Case No. -398 Year- 2004 Thana -KHAZANIHAT District- PURNIA

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1. Praveen Kumar Singh S/o Sri Surendra Prasad Singh Chitrawani Road, Bhatta Bazar, P.S- K. Hat, District- Purnea.
 2. Surendra Prasad Singh S/o Late Wali Babu Chitrawani Road, Bhatta Bazar, P.S- K. Hat, District- Purnea.
 3. Shanti Devi W/o Shri Surendra Prasad Singh Chitrawani Road, Bhatta Bazar, P.S- K. Hat, District- Purnea.
 4. Pujita Kumari @ Guriya D/o Shri Surendra Prasad Singh, Resident of Pitampura, P.S- Pitampura, District- West Delhi.
 5. Bhaweshanand Rai S/o Sri Sachidanand Rai R/o Village – Kokahi, P.S. Banmankhi, Distt. Purnia.
 6. Smt. Sanyukta Kumari @ Sanyukta Devi @ Muni W/o Bhawedanand Roy @ Bhushan Roy Both resident of village- Lokahi, P.S- Banmankhi District- Purnea.
 7. Sheela @ Suman Kumari @ Sheela Devi W/o Sanjay Singh Resident of Mahipalpur, P.S- Mahipalpur, District- South Delhi.

.... Petitioners

Versus

1. The State of Bihar
2. Neha Singh @ Priyanka W/o Shri Navin Kumar Singh, D/o Late Navin Kumar Roy Resident of Mohalla- Chitrawani Road, Bhatta Bazar, P.S- K. Hat, District- Purnea Presently resides with her mother at mohalla Nawarattan Hata, P.S- K.Hat, District- Purnea.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Saket Tiwary
For the Opposite Party/s : Mrs. Rina Sinha(App)
Mr. Bimal Kumar
Mr. Dhananjay Kumar

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

4. 02-08-2016 Heard Sri Saket Tiwary, learned counsel for petitioners, learned Addl. Public Prosecutor as well as Sri Bimal Kumar, learned counsel, who was assisted by Sri Dhananjay Kumar, learned counsel for the informant/opposite party no. 2.

The present petition has been filed with a prayer to

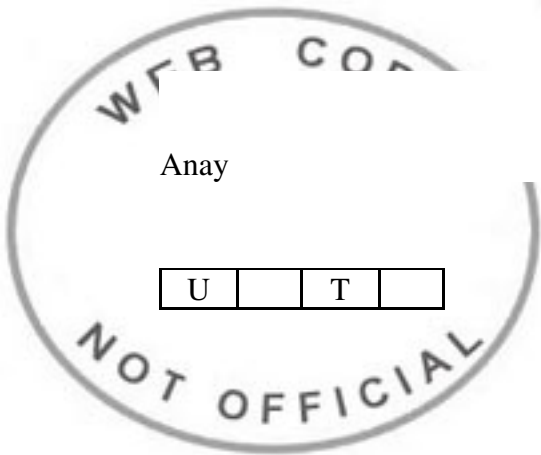
quash an order dated 10-04-2014 passed by learned Adhoc Additional Sessions Judge – III, Purnia in Sessions Trial No. 21 of 2013 (arising out of K.Hat P.S. Case No. 398 of 2004) registered for the offence under Sections 498(A), 406, 307 and 511 of the Indian Penal Code.

Learned counsel for petitioners submits that petitioners have falsely been implicated in the present case. He has also placed reliance on **Annexure – 3** to the petition i.e. order dated 19-02-2008 passed in Cr. Revision No. 849 of 2006 by a Bench of this Court. He submits that in the said order, it has been noticed that the informant of the present case was not ready to reside with her husband at his working place and thus, it suggests that it was not a case of torture.

However, after going through Annexure – 3 to the petition i.e. order dated 19-02-2008 passed in Cr. Revision No. 849 of 2006, the Court is satisfied that petitioners may not get any benefit from the observation made in the said case, since order in the revision case was passed in the year 2008, whereas, in the present case, F.I.R. was lodged in the year 2004 itself for an occurrence, which had taken place prior to filing of the F.I.R. So far as impugned order is concerned, apparently, I do not find any error warranting interference.

The petition stands dismissed.

(Rakesh Kumar, J.)



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