

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4272 of 2016

Arising Out of PS.Case No. -102 Year- 2014 Thana -SHASTRINAGAR District- PATNA

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1. Abhay Kumar, Son of Sri Satya Prakash Yadav, residents of Mohalla-
Nand Gaon, Police Station- Shastrinagar, District- Patna- 800023.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Pratibha Kumari, Wife of Abhay Kumar, Daughter of Late Harishankar Prasad, resident of Mohalla- Bigrampur, P.S.- Jakkanpur, District- Patna.
3. The Officer-in-Charge, Shastrinagar Police Station, Town & District- Patna.
4. The Investigating Officer (Shastrinagar Police Station Case No. 102/2014), Shastrinagar Police Station, Town & District- Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uma Kant Tiwary

For the Opposite Party/s : Mr. Kr.Virendra Narayan(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 24-06-2016

The present application has been filed for quashing of the First Information Report of Shastrinagar P.S. Case No. 102 of 2014 registered under Sections 498A of the Indian Penal Code and Section 34 of the Dowry Prohibition Act, pending in the Court of learned Judicial Magistrate, Patna.

It is submitted by learned counsel for the petitioner that petitioner claims quashing of the F.I.R on the ground that petitioner is making payment of maintenance amount and matrimonial suit with a prayer for divorce has been filed.

In view of this Court, the F.I.R can only be quashed if the accusation does not constitute prima facie case

or the prosecution is barred under certain law.

In view of this Court, it is not a case for quashing of the F.I.R.

Accordingly the application is dismissed.

(Dinesh Kumar Singh, J)

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