

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43667 of 2014

Arising Out of PS.Case No. -213 Year- 2011 Thana -DANAPUR District- PATNA

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1. Kamlawati Devi Wife of Late Babu Lal Sharma
2. Rakesh Sharma Son of Late Babu Lal Sharma
Both Resident of Village - Bhagwan Bazar, Krishna Colony, P.S. -
Bhagwan Bazar, Distt. - Chapra

.... Petitioner/s

Versus

1. The State of Bihar
2. Shiwangi Kumari @ Shiwangi Sharma D/o - Shambhu Lal Vishwakarma
Resident of Chitrakut Nagar, P.S. - Danapur, Distt. - Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Agrawal

For the Opposite Party/s : Mr. Madan Kumar (APP)

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

4 20-06-2016 Heard Sri Alok Kumar Agrawal, learned counsel for the

petitioners, Sri Madan Kumar, learned A.P.P. as well as learned

counsel, who has appeared on behalf of the informant /opposite

party no. 2.

Two petitioners, who are mother-in-law and brother of
the husband of the informant/ opposite party no. 2 have
approached this court invoking its inherent jurisdiction under
Section 482 of the Code of Criminal Procedure with a prayer to
quash an order dated 16.11.2012 passed by learned Sub
Divisional Judicial Magistrate, Danapur. By the said order the
petition filed under Section 239 of the Cr.P.C. on behalf of the

petitioners in connection with Danapur P.S. Case No. 213 of 2011 registered for the offence under Section 498(A)/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act was rejected.

Learned counsel for the petitioners submits that maliciously the present F.I.R. was lodged. It was argued by learned counsel for the petitioners that prior to filing of the F.I.R. father-in-law had given informatory petition regarding apprehension on false implication and as such, it is a fit case for discharging the petitioners.

Learned counsel appearing on behalf of the informant and learned A.P.P. have opposed the prayer of the petitioners.

Besides hearing, I have perused the impugned order. I do not find any apparent defect in the order.

The petition stands dismissed.

(Rakesh Kumar, J)

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