

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10866 of 2016

Arising Out of PS.Case No. -1811 Year- 2014 Thana -SIWAN COMPLAINT CASE District-
SIWAN

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1. Mati Jhari Devi, Wife of Ram Belash Bhagat,
2. Harendra Kumar, son of Ram Belash Bhagat
3. Parvati Kumari, D/o Ram Belash Bhagat
4. Lakhmina Devi @ Lakshmina Devi, wife of Rakesh Bhagat
All resident of Village - Chandan Chapra, P.O. - Bhadurpur Bazar, P.S. -
Jamo Bazar, District - Siwan, Sr. No. 4 Present resident of Village - Suhata,
R.O. - Basopali, P.S. - Siwan (M), District - Siwan

.... Petitioner/s

Versus

1. The State of Bihar
2. Rekha Devi, W/o Nagendra Kumar, D/o Ajay Kumar Singh, Resident of
Village - Suhata, P.O. - Basopali, P.S. - Siwan (M), District - Siwan

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Ashok Kumar, Advocate.

For the Opposite Party/s : Mr. Anant Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 19-08-2016

Heard both sides.

The petitioners filed this petition under Section 482 of the Code of Criminal Procedure for quashing the order dated 05.09.2014 passed in Complaint Case No. C-1811/2014, corresponding to Tr. No. 4973/2014, by which the learned Sub Divisional Judicial Magistrate, Siwan took cognizance under Sections 498(A)/406 of the Indian Penal Code and Section 34 of the Dowry Prohibition Act to proceed against the petitioners.

Learned counsel for the petitioners submits that the petitioners are mother-in-law and other in-laws of the complainant. The complainant made omnibus and general

allegations against the petitioners. It is submitted that the impugned order suffers from illegality.

It appears that the order taking cognizance was passed on 05.09.2014 and the petitioners, after receiving notices, appeared in court and got bail and moved this Court only after more than 1½ years. Considering this fact itself, I am not inclined to interfere with the impugned order dated 05.09.2014. Accordingly, this quashing petition is dismissed.

(Prabhat Kumar Jha, J)

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