

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 50191 of 2014

Arising out of P.S. Case No. -183 Year- 2010 Thana -
BETTIAH TOWN District- WESTCHAMPARAN (BETTIAH)

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1. Sabina @ Sabina Prabin daughter of Ahmad Hussain.
 2. Samina daughter of Ahmad Hussain.
 3. Rajiya daughter of Ahmad Hussain.
 4. Shahina @ Shahin Prabin daughter of Ahmad Hussain.
 5. Razda Wife of Anjarul @ Anjar.
 6. Mintun Nesha Wife of Ahmad Hussain.
 7. Imteyaz Alam @ Imteyaz son of Ahmad Hussain.
 8. Md. Sahnawaz @ Sahn-awaz son of Ahmad Hussain.
 9. Aftab son of Ahmad Hussain.
 10. Md. Isteyak @ Isteyak son of Ahmad Hussain.
 11. Master Anjarul Khan @ Anjar @ Anjar Ahmad Khan son of Late Abdul Aziz Khan.
 12. Zeba Prabib @ Zeba wife of Md. Javed.
 13. Md. Farookh @ Farookh son of Late Abdul Khan.
 14. Shakeena @ Shakeen Khatoon daughter of Meer Zaheer and wife of Farookh.
 15. Ahmad Hussain son of Late Abdul Hameed.
 16. Md. Ekbal son of Late MD. Illiyas All are resident of Village Chhawani, Police Station Bettiah Town, District - West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Ranajabi @ Ladli Wife of Md. Javed Resident of Dargah Mohalla, Police Station Bettiah Town, District - West Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No. 7, Adv.

For the Opposite Party/s: Mr. APP.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 10-05-2016

The Petitioners seek quashing of the order dated 19.11.2014 passed by the Sub-divisional Judicial Magistrate, West Champaran at Bettiah in Bettiah Town P.S. Case No. 183 of 2010 (S.C. No. 461 of 2013).

The case of the Informant is that she was married to

Md. Jawed the date has not been given but evidently before 2005 and she stated that she was tortured for various reasons.

It has been submitted on behalf of the Petitioners that after due investigation final report was submitted in the matter but disagreeing with the final report their case proceeded on the protest-cum-complaint petition and, hence, it should be set aside.

The Counsel for the Informant opposes such prayer.

On going through the Complaint Petition, I find that the allegations against the Petitioners are not only vague but also completely incoherent which means the prosecution of the Petitioners would be meaningless and gross abuse of the process of the Court.

In view of such, the proceeding including the order dated 19.11.2014 passed by the Sub-divisional Judicial Magistrate, West Champaran at Bettiah in Bettiah Town P.S. Case No. 183 of 2010 (S.C. No. 461 of 2013) is, hereby, set aside so far as the Petitioners are concerned.

The application stands allowed.

(Anjana Prakash, J.)

Vikash/-

AFR/NAFR	NAFR
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