

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.34384 of 2013

Arising Out of PS.Case No. -82 Year- 2013 Thana -SASARAM NAGAR District- SASARAM
(ROHTAS)

- =====
1. Sumitra Devi Wife of Raj Kumar Sah
 2. Rameshwari Kumari @ Butani D/O- Raj Kumar Sah
 3. Raj Kumar Sah Son of Late Gopi Sah
 4. Vikash Kumar Son of Raj Kumar Sah, all Resident Of Village - Rajpur, P.S. - Rajpur, District - Rohtas.

.... Petitioner/s

Versus

1. The State Of Bihar
2. Rina Devi D/O- Ramadhar Prasad Resident Of Mohalla - Shanti Nagar New Diliya, P.S. - Sasaram (Town), District - Rohtas.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh, Advocate

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

For Opposite Party No.2 : Mr. Ashok Kumar Pandey, Advocate

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 31-03-2016

The Petitioners, who are the in-laws of the Opposite Party No.2, seek quashing of the order of cognizance dated 29.4.2013 passed by the Chief Judicial Magistrate, Rohtas at Sasarm in Sasaram (T) P.S. case No.82 of 2013.

The case of the Informant is that she was married to Santosh Prasad Gupta in the year 2002, but she was tortured for ends of dowry and hence she filed the present case.

Considering that the marriage had taken place in the year 2002, whereas the First Information Report has been instituted in the

year 2013 i.e. eleven years later, I do not think it probable that any demands of dowry would have been made for eleven years by the in-laws. Evidently the grouse is somewhere else.

In view of such, the application is allowed and the proceeding including the order of cognizance dated 29.4.2013 passed by the Chief Judicial Magistrate, Rohtas at Sasarm in Sasaram (T) P.S. case No.82 of 2013 is hereby set aside so far as the Petitioners are concerned.

(Anjana Prakash, J)

Narendra/-

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