

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 25499 of 2016

Arising Out of PS.Case No. -26 Year- 2014 Thana -MAHILA PS District- JEHANABAD

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1. Archana Singh @ Chanda wife of Sri Ashok Kumar, resident of Village Muraroa, P.S.- Biharsharif, District- Nalanda.

2. Swatantrata Sinha @ Bandana wife of Sri Manoj Kumar resident of Village Chorsua, P.S. Giriyak, District- Nalanda. at present Amar Jyoti Colony, Sahabad Diary, PS- Samaypur Badani, Rohini, Sector-17, Delhi.

.... Petitioners

Versus

1. The State of Bihar.

2. Pinky Kumari wife of Rajiv Ranjan, D/o Sri Arvind Sinha resident of Village- Lihapur, Mirzapur, P.S. Nawada, District- Nawada, at present Keshopur, Nonhi, P.S.- Kako Distt- Jehanabad.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Ajay Thakur
Mr. Shashank Shekhar

For the Opposite Party/s : Mr. Dinesh Singh, A.P.P.
Mr. Satish Chandra

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3. 08-08-2016 Heard Sri Ajay Thakur, learned counsel, who was assisted by Sri Shashank Shekhar, learned counsel for petitioners, learned Addl. Public Prosecutor as well as Sri Satish Chandra, learned counsel, who has appeared on behalf of complainant/opposite party no. 2.

In the present petition, the petitioners, who claim to be married *Nanad* of complainant/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 20-05-2016 passed in Jehanabad Mahila P.S.

Case No. 26 of 2014, G.R. Case No. 1096 of 2014/Tr. Case No. 739 of 2016. By the said order, the learned Chief Judicial Magistrate, Jehanabad has rejected the petition filed under Section 239 of the Cr.P.C. for discharge of the petitioners.

It was submitted by learned counsel for petitioners that petitioners, being married *nanad*, were not having any role to play in the alleged offence and they have been arrayed as accused only to harass them. On this very ground, the order impugned has been challenged. He further submits that even during investigation, nothing has been brought on record to show the involvement of the petitioners, whereas, learned counsel for the complainant opposing the prayer submits that apparently there is no error in the order. He submits that learned court below, while considering the discharge petition, has examined the case diary and thereafter, he has passed order.

Besides hearing, I have also perused the materials on record, including the impugned order. I do not find any apparent error in the order impugned, which warrants any interference.

The petition stands dismissed.

(Rakesh Kumar, J.)

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