

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26532 of 2013

Arising Out of PS.Case No. -470 Year- 2012 Thana -BUXAR COMPLAINT CASE District-
BUXAR

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1. Satya Narain Singh @ Mannu Singh son of Late Jagarnath Singh @ Ghurul Singh
2. Indu Devi wife of Satya Narain Singh @ Mannu Singh
3. Renu Devi wife of Nirmal Singh Resident Of Village- Rajwari, P.S.- Choubeypur, District- Varanasi (U.P.)

.... Petitioner/s

Versus

1. The State Of Bihar
2. Sunita Devi, w/o Sri Vijay Singh, D/o Rabindranath Singh, resident of village and Post Nagwa, P.S. Simri District Buxar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Neeraj Kumar @ Sanidh

For the Opposite Party/s : Mr. Mayanand Jha (App)

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR

ORAL ORDER

3 28-11-2016 Heard learned counsel for the petitioners, Mr. Mayanand Jha, learned Additional Public Prosecutor as well as Sri Kamaldeo Sharma, learned counsel who has appeared on behalf of the complainant/ opposite party no. 2.

Three petitioners , have approached this court invoking its inherent jurisdiction under Section 482 of the Code of Criminal Procedure 1973 with a prayer to quash an order dated

18.6.2013 as well as entire prosecution in Case No. C- 470 of 2012, Tr. No. 1491 of 2013. By the said order learned Sub Divisional Judicial Magistrate, Buxar after enquiry has taken cognizance of offences under Section 498(A) of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

Learned counsel for the petitioners by way of referring to the complaint petition states that in the complaint petition there is no specific accusation against any of the accused persons, only there is general and omnibus allegation . He placing reliance on a judgment of this court reported in **2013 (2) BBCJ V- 89 (Shiv Jee Rai & Ors. vs. The State of Bihar & Anr.)** submits that if in such complaint particularly complaint filed under Section 498-A of the Indian Penal Code there is no specific accusation this Court while exercising power under Section 482 of the Code of Criminal Procedure 1973 is well competent to quash entire proceeding. However , learned counsel appearing on behalf of the complainant has placed reliance on the statement of the victim recorded on S.A. before the court below and submits that besides general and omnibus allegation in the complaint petition on S.A. complainant has made specific accusation against the accused persons.

In view of the facts and circumstances I do not find any

ground to interfere with the impugned order.

The petition stands dismissed.

In view of dismissal , interim order of stay dated
31.7.2013 stands vacated.

(Rakesh Kumar, J)

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