

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.42369 of 2013

Arising Out of PS.Case No. -128 Year- 2010 Thana -GARDANIBAGH District- PATNA

- =====
1. Kapildeo Prasad Yadav @ Kapildeo Prasad Rai S/o late Noor Lal Rai.
 2. Shobha Devi wife of Kapildeo Prasad Yadav

.... Petitioner/s

Versus

1. State of Bihar.
2. Babita Devi wife of Ajay Prasad Yadav D/o late Jadgish Rai.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 21-06-2016

The petitioners who are parents-in- law seek quashing of the order dated 17.02.2011 passed by the Sub-Divisional Judicial Magistrate, Patna.

The case of the informant is that she was married to the son of the petitioners in May 2010 and just 15-20 days later she was tortured for ends of dowry and ousted from the matrimonial home.

It has been submitted on behalf of the petitioners that in fact there was some incompatibility issue between the husband and wife on account of which the present case has been instituted in which the petitioners had no role to play. No doubt there are allegations that the petitioners also demanded dowry but it does not stand to reason that the relationship would come to such a point that within 15-20 days of marriage a lady would be ousted from the matrimonial house

Evidently the grouse is something else.

On the other hand the complainant submits that since she was ousted within a short time of her marriage and the petitioners are parents-in-law who actively participated in torturing her they should be put on trial.

Having considered the duration of marriage and the relationship of the petitioners with the informant the application is allowed and the order dated 17.02.2011 passed by the Sub-Divisional Judicial Magistrate, Patna is hereby set aside so far as the petitioners are concerned.

(Anjana Prakash, J)

Prakash/-

AFR/NAFR	NAFR
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