

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.17732 of 2014

Arising Out of PS.Case No. -311 Year- 2011 Thana -BHAGALPUR KOTWALI District-
BHAGALPUR

=====

1. Manju Kumari daughter of Gajadhar Yadav
2. Navin Yadav son of Gajadhar Yadav
3. Binoda Devi wife of Gajadhar Yadav
4. Fantoosh Yadav @ Pravin Yadav son of Gajadhar Yadav
All are resident of Village Jhhowa Kothi, P.S. Barari, District Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Parmanand Yadav S/o Late Udeswar Yadav R/o Village Post Salarpur, P.S.
Parbatta, District Khagaria.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha

For the Opposite Party/s : Mr. Krishna Prasad Singh , Sr. Adv.

=====

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR

ORAL JUDGMENT

Date: 31-08-2016

Heard Sri Ranjan Kumar Jha, learned counsel for the
petitioners, learned Additional Public Prosecutor as well as Sri
Krishna Prasad Singh, learned senior counsel who was assisted by
Smt. Meena Singh, learned counsel for the informant /opposite party
no. 2.



Earlier on 25.4.2014 a bench of this court in view of the statement made in paragraph no. 15 of the petition whereby it was indicated that petitioner no. 2 was still ready to keep the daughter of the informant as wife with full dignity and honor this court while directing for issuance of notice had directed for staying further proceeding. Thereafter the opposite party no. 2 had appeared on 2.8.2016 and the case was adjourned to enable learned counsel for the parties regarding outside settlement of dispute however it has been informed that there is no possibility of settlement.

The present petition was filed against an order dated 6.3.2014 whereby petition filed under section 239 of the Cr.P.C. for discharge of the petitioners was rejected. In the present case F.I.R. was lodged vide Kotwali (Barari) P.S. Case No. 311 of 2011 registered for the offence under section 498(A) of the Indian Penal Code and Section 3 and 4 of the Dowry Prohibition Act. It is not in dispute that after investigation police submitted charge sheet and at the stage of charge petition for discharge was filed. It was submitted by learned counsel for the petitioners that the entire family of the husband of the daughter of the informant had been arrayed as accused.

Learned counsel for the petitioners tried to persuade the court that petitioners have falsely been implicated whereas after

going through the impugned order the court is satisfied that there is no apparent error warranting interference.

The petition stands dismissed.

(Rakesh Kumar, J)

Praful/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	02-09-2016
Transmission Date	02-09-2016