

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.2841 of 2011

Arising Out of Complaint Case No.767C Year 2010 (BIHARSHARIFF)

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1. Ram Nath Singh, son of Sri Kapildeo Narain Sinha
 2. Pratima Devi @ Pratima, wife of Rajnath Singh
 3. Amit Singh @ Amit Prakash, son of Ram Nath Singh
- All are resident of Mohalla Jai Prakash Nagar, P.S. Digha, Distt. Patna.
4. Sadhna Kumari, daughter of Ramnath Singh and wife of Major Dhananjai Kumar, resident of Mohalla Lekha Nagar, P.S. Danapur, Distt. Patna, present address wife of Major Dhananjai Kumar, Punjab Regiment, Ramgarh Cantt., Jharkhand

.... Petitioner/s

Versus

1. The State of Bihar
2. Radha Kumari, wife of Ram Vinaya Singh and daughter of Lalit Singh, resident of village Maghara, P.S. Deep Nagar, Distt. Nalanda.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nawal Kishore Singh, Adv.
Mr. Jitendra Nath Tiwary, Adv.
Mr. Upendra Mishra, Adv.
For the State : Mr. Braj Kishore Pd., A.P.P.
For the Opposite Party No. 2 : Ms. Renu Jha, Adv.
Mr. M.P. Singh, Adv.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 18-04-2016

Heard learned counsel for the Petitioners and the State.

The Petitioners who are the in-laws seek quashing of the order of cognizance dated 7.12.2010 passed by the Sub Divisional Judicial Magistrate, Bihar Sharif, Nalanda, in Complaint Case No. 767C of 2010.

The case of the Complainant is that she was married to

Ram Vinay Singh on 5.5.2000 and when she went to her matrimonial home, she was tortured and ousted from the matrimonial home which allegations in the submission of the Petitioners is totally false and being family members are not concerned.

On the other hand, the counsel for the Complainant submits that since the Petitioners are family members of the husband, they should be put on Trial.

On going through the solemn affirmation, I find that the Complainant was mainly aggrieved because she suspected that he had illicit relationship with somebody else and the other allegations appear superfluous.

Considering the aforesaid, the application is allowed and the Proceeding including the order of cognizance dated 7.12.2010 passed by the Sub Divisional Judicial Magistrate, Biharsharif, Nalanda, in Complaint Case No. 767C of 2010, so far as the present Petitioners are concerned, is hereby set aside.

S.Ali/-

(Anjana Prakash, J)

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	