

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.6300 of 2011

Arising Out of PS.Case No. -0 Year- null Thana -null District- MUNGER

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1. Shiv Dayal Yadav son of late Shukan Yadav
 2. Sudha Devi wife of Shiv Dayal Yadav
 3. Kamlesh Yadav
 4. Pappu Yadav @ Rajeev Kumar
 5. Akhilesh Yadav sons of Shiv Dayal Yadav
 6. Rita Devi wife of Rajesh Rai
 7. Manju Devi @ Manju Yadav wife of Arun Kumar, all resident of Ballhar, P.S. Manihari, District Katihar

.... Petitioner/s

Versus

1. The State of Bihar
2. Rajni Kumar wife of Sanjay Kumar, daughter of late Lakhan Gope, resident of Dhobi Tola, P.S. Kasim Bazar, District Munger

.... Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Chittaranjan Sinha, Sr. Advocate Mr. Anirban Kundu, Advocate
For the State	:	Mr. R.S. Rai, APP
For Opposite Party No.2	:	Mr. Pawan Kr. Singh, Advocate Mr. Nawal Kishore Singh, Advocate

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 02-05-2016

The Petitioners seek quashing of the order dated 10.1.2011 passed by the S.D.J.M., Munger in Case No.768C of 2006, by which he has refused to discharge the Petitioners.

The case of the Complainant is that she was married to Sanjay Kumar on 12.4.2000, on which occasion large number of gifts were given but the accused persons tortured her for ends of dowry and finally ousted her from the matrimonial home.

The Petitioners, who are in-laws, submit that fact is that

the marriage had taken place in the year 1999 and a child was also born of the wedlock. However, the Complainant always used to pressurize the husband to live in Katihar to which he was not ready and, therefore, there was some incompatibility between them. She then left him. So the husband filed Matrimonial case No.122 of 2006 before the Principal Judge, Family Court, Katihar for restitution of conjugal rights. These documents suggest that whatever the issue is it was only between the husband and wife and the Petitioners have no role to play therein.

Having considered the aforesaid, the application is allowed and the proceeding including the order dated 10.1.2011 passed by the S.D.J.M., Munger in Case No.768C of 2006 is hereby set aside so far as the Petitioners are concerned.

(Anjana Prakash, J)

Narendra/-

AFR/NAFR	NAFR
CAV DATE	
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