

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35490 of 2014

Arising Out of Complaint Case No.126(c), Year- 2013, District- NALANDA (BIHARSHARIFF)

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1. Deo Kumar Tanti @ Debu Tanti
2. Pappu Tanti
3. Dilip Kumar Tanti @ Dilip Tanti
(1), (2), and (3) are Sons of Late Arjun Tanti
4. Meghani Devi, wife of late Arjun Tanti
5. Suman Kumari, d/o late Arjun Tanti
6. Dewki Devi, Wife of Pappu Tanti
7. Soni Devi, Wife of Deo Kumar Tanti
All are resident of village- Bansdahar, Maranchi, P.O. and P.S.- Maranchi,
District- Patna

.... Petitioner/s

Versus

1. The State of Bihar
2. Nibha Devi, Wife of Jai Kumar Tanti, Daughter of Karu Tanti, resident
of Bandahar Maranchi, Presently at Banwaripur Mora, P.S.- Bena,
District- Nalanda

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar, Adv.

For the State : Mr. Nagendra Pd., APP

For the Opposite Party No. 2 : Mr. Sanjay Prasad, Adv.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 04-01-2016

Heard learned counsel for the Petitioners and the State.

The Petitioners who are the in-laws of the Opposite
Party No. 2 seek quashing of the Proceeding including the order of
cognizance dated 10.7.2013 passed by the Sub Divisional Judicial
Magistrate, Biharsarif, Nalanda, in Complaint Case No. 126(C) of
2013.

The case of the Complainant is that she was married to
Jay Kumar Tanti on 31.5.2011 on which occasion, dowry was given

to the in-laws but they were not satisfied and started demanding additional dowry and on account of non fulfillment, tortured her and ousted her from the matrimonial home.

It has been submitted on behalf of the Petitioners that they are the in-laws and in fact, there was some kind of problem between the husband and wife who used to live separately. In order to exaggerate and entangle the entire family, the present Complaint was filed.

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

Having considered that no specific overt act alleged against the Petitioners and the allegations are general and sweeping in nature, the application is allowed and the Proceeding including the order of cognizance dated 10.7.2013 passed by the Sub Divisional Judicial Magistrate, Biharsarif, Nalanda, in Complaint Case No. 126(C) of 2013, so far as the present Petitioners are concerned, is hereby, set aside.

(Anjana Prakash, J)

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