

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.773 of 2016

Arising Out of PS.Case No. -5 Year- 2014 Thana -Sahjahanpur District- PATNA

Abha Kumari, W/o Suman Prakash Chauhdry, D/o Sri Anil Chaudhary,
R/o Mohalla- Saraswati Lane, East Lohanipur, P.S Kadamkuan, Patna-3.

.... Petitioner/s

Versus

1. The State of Bihar through Director General of Police, Bihar Patna.
2. The Director General of Police, Bihar Patna.
3. The Senior Superintendent of Police, Patna.
4. The Station House Officer (S.H.O.) Sahjahanpur Police Station, District- Patna.
5. Suman Prakash Chaudhary, s/o Madan Mohan Chaudhary, resident of Village- Kamsudpur, P.S- Sahjahanpur, District- Patna, At present Post Graduate Student of National Institute of Homeopathy, Salt Lake City, Kolkata- 64. P.S. Vidhan Nagar South Salt Lake City, Sector-3, Kolkata- 64.

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Vinod Gautam, Advocate.

For the Respondent/s : Mr. Apurva Kumar, A.C. to G.A. 4

CORAM: HONOURABLE MR. JUSTICE HEMANT GUPTA

ORAL JUDGMENT

Date: 14-09-2016

Heard learned counsel for the parties.

2. The petitioner is wife of Respondent No. 5 who has lodged a criminal case i.e. Sahjahanpur P.S. Case No. 5 of 2014 for the offences under Sections 341, 323, 504, 498A read with Section 34 of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act on 8th of February, 2014.

3. The grievance of the petitioner is that Anticipatory Bail of the husband was rejected by the Sessions Judge, Patna on 25th of February, 2015 and by this Court on 28th of July, 2015. Still the

accused has not been arrested. It is the stand of the petitioner herself that charge-sheet has been submitted on 30th of December, 2014.

4. Since charge-sheet has been submitted, all proceedings relating to First Information Report resulting into charge-sheet has to be taken by the court which is seized of the matter. Her present writ application does not warrant any further directions which can be issued in the facts and circumstances of the case.

5. The writ application is, thus, dismissed.

(Hemant Gupta, J)

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