

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.41912 of 2013

Arising out of P.S. Case No.490 Year 2011 Thana MADHUBANI COMPLAINT CASE District
MADHUBANI

- =====
1. Yogendra Mahaset Son Of Late Matuk Mahaseth Resdiet Of Village Sahorwa Police Station Ladaniya, District Madhubani.
 2. Rajendra Mahaseth Son Of Late Matuk Mahaseth Resdiet Of Village Sahorwa Police Station Ladaniya, District Madhubani.
 3. Nagendra Mahaseth @ Phekan Mahaseth Son Of Late Matuk Mahaseth Resdiet Of Village Sahorwa Police Station Ladaniya, District Madhubani.
 4. Urmila Devi Wife Of Late Matuk Mahaseth Resdiet Of Village Sahorwa Police Station Ladaniya, District Madhubani.
 5. Vimala Devi Wife Of Yogendra Mahaseth Resdiet Of Village Sahorwa Police Station Ladaniya, District Madhubani.
 6. Bindi Devi Wife Fo Rajendra Mahaseth Resdiet Of Village Sahorwa Police Station Ladaniya, District Madhubani.
 7. Phulo Devi Wife Of Nagendra Mahaseth Resdiet Of Village Sahorwa Police Station Ladaniya, District Madhubani.

.... Petitioners

Versus

1. The State of Bihar
2. Punita Devi, Wife of Jagat Narayan Purbey, Resident of Village Jay Nagar Ward No.2, P.S. Jay Nagar, District Madhubani.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav

For the Opposite Party/s : Mr. Nazir Ansari (App)

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR

ORAL ORDER

4 22-06-2017

This petition for quashing is directed against order dated 15.09.2011, passed by learned Sub-divisional Judicial Magistrate, Madhubani in complaint case bearing C.R. No.490 of 2011 whereby cognizance has been taken under Sections 498A and 379 of the Indian Penal Code.

Learned counsel for the petitioners submits that the complainant's husband was murdered thereafter she never turned



up to her matrimonial home and petitioners no.1 and 2 are step brothers of the husband of the complainant and rest are brothers and their wives. All live separately and they have no concern with her. However, the allegation levelled in the complaint do make out a case of torture and harassment to the complainant after death of her husband against all the accused persons so defence of the petitioners-accused cannot be considered at this stage for setting aside the order of cognizance.

Accordingly, the quashing petition is dismissed.

(Arun Kumar, J.)

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