

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.33477 of 2017

Arising Out of PS.Case No. -233 Year- 2015 Thana -KANKARBAGH District- PATNA

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Awadhesh Kumar Pandey, Son of Late Radha Mohan Pandey, R/o 405 Sumitra Enclave Apartment, Indira Nagar, Road No.1-A. Behind F Sector, P.S.- Kankarbagh, District- Patna.

.... Petitioner

Versus

1. The State of Bihar.
2. Shri Patti Pathak, Son of Parshuramji Pathak, R/o Civil Line, Buxar, P.S.- Buxar (Town), District- Buxar.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Shrivastava, Advocate

For the Opposite Party/s : Mrs. Asha Devi, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 22-12-2017

This application under Section 482 of the Code of Criminal Procedure has been filed by the petitioner for quashing the order dated 14.06.2017 passed by the learned Sub Divisional Judicial Magistrate, Patna in G.R. Case No.2178 of 2015 arising out of Kankarbagh P.S. Case No.233 of 2015 by which the learned Sub Divisional Judicial Magistrate has rejected the petition dated 28.02.2017 filed on behalf of the informant for issuance of warrant against the accused opposite party no.2



2. The petitioner is the informant in the aforesaid Kankarbagh P.S. Case No.233 of 2015 registered for the offence punishable under Sections 498A read with 34 of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act.

3. In the opinion of this Court, this application is thoroughly misconceived. The petitioner being informant in a police case has got no locus to file an application for issuance of warrant of arrest against an accused, who is named in the FIR.

4. In that view of the matter, the application being devoid of any merit, is dismissed.

(Ashwani Kumar Singh, J.)

Sanjeet/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	23.12.2017
Transmission Date	23.12.2017

