

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.35062 of 2017

Arising Out of PS.Case No. -252 Year- 2017 Thana -MUZFFARPUR COMPLAINT CASE

District- MUZAFFARPUR

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1. Durga Devi, W/o Late Satyanarayan Prasad Thakur
2. Shiv Ratan Kumar, S/o Late Satyanarayan Prasad Thakur.

Both are resident of Mohalla-Malighat, Chuna Bhathi Chowk, inside of Pakauri
Factory Gali, P.S.-Mithanpura, District-Muzaffarpur.

.... Petitioners

Versus

1. The State of Bihar
2. Nisha Kumari @ Nisha Devi, W/o Shiv Ratan Kumar, D/o Krishna Mohan Thakur, at present R/o Mohalla-Police Line, Bawan Bigha, Priston School, Kanhauli, Radhe Traders (shop of sand and cement), P.S.-Mithanpura, District-Muzaffarpur.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh, Advocate

For the Opposite Party/s : Mr. Rajesh Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 11-09-2017

This application under Section 482 of the Code of Criminal Procedure (for short 'Cr. P.C.') has been filed for quashing of the order dated 12.06.2017 passed by the learned Sub-Divisional Judicial Magistrate, East, Muzaffarpur in connection with Complaint Case No. C-252 of 2017, Tr. No.2595 of 2017 by which finding a prima facie case to be made out under Section 498-A of the Indian



Penal Code and Section 4 of the Dowry Prohibition Act, 1961, the petitioners have been summoned to face trial.

2. I have heard learned counsel for the petitioners and perused the materials available on record.

3. In the complaint petition, there is specific allegation against the petitioners to have subjected the complainant to cruelty in various ways for non-fulfilment of demand of dowry of Rs.3 lakhs.

4. The allegations made in the complaint have duly been supported by the complainant in her statement made on solemn affirmation and, besides the complainant, certain witnesses examined in course of inquiry, have also supported the allegations made in the complaint.

5. In that view of the matter, I see no illegality in the order impugned. Accordingly, the application being devoid of any merit, is dismissed.

(Ashwani Kumar Singh, J.)

Sanjeet/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	11.09.2017
Transmission Date	11.09.2017

