

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.37356 of 2013**

Arising Out of PS.Case No. -69 Year- 2008 Thana -CHANPATIA District-  
WESTCHAMPARAN(BETTIAH)

- =====
1. Nutan Mishra @ Nutan Mishra Devi Wife Of Sri Sachidanand Mishra  
Resident Of Village - Dhamaura, P.S. - Sadhi, District - West Champaran.
  2. Ashok Kumar @ Ashok Kumar Mishra Son Of Sri Sachidanand Mishra  
Resident Of Village - Dhamaura, P.S. - Sadhi, District - West Champaran.
  3. Pawan Kumar @ Pawan Kumar Mishra Son Of Sri Sachidanand Mishra  
Resident Of Village - Dhamaura, P.S. - Sadhi, District - West Champaran.
  4. Sachidanand Mishra Son Of Late Hari Mohan Mishra Resident Of Village -  
Dhamaura, P.S. - Sadhi, District - West Champaran.
  5. Prabhat Shankar Jha @ Guddu Jha Son Of Late Amarendra Kishore Jha  
Resident Of Village - Bamu Chapar, P.S.- Mufassil, District - West Champaran.
  6. Pushpa Jha @ Pushpa Devi Wife Of Sri Prabhat Shankar Jha Resident Of  
Village - Bamu Chapar, P.S.- Mufassil, District - West Champaran.

.... .... Petitioner/s

Versus

1. The State Of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**

**ORAL JUDGMENT**

**Date: 06-04-2017**

This application under Section 482 of the Code of Criminal Procedure has been filed for quashing the order dated 02.03.2012, passed by the Chief Judicial Magistrate, West Champaran, Bettiah in Chanpatia P.S. Case No. 69 of 2008, wherein cognizance has been taken against the petitioners under Sections 498A/34 of the Indian Penal Code.



It appears that several adjournments have been taken by the petitioners. On 03.04.2017, last chance was given to the petitioners and it was made clear that matter would be finally disposed of on the basis of materials available on the record, if none appears on behalf of the petitioners.

Today also, the prayer has been made to adjourn the matter.

From the records, it appears that on the basis of charge-sheet submitted by the police, the allegations made in the written report and the materials available in the case diary the Magistrate found sufficient materials against the accused persons/petitioners and took cognizance for the offence under Section 498A of the Indian Penal Code.

Learned A.P.P. has submitted that there are sufficient materials in the case diary.

Therefore, this Court does not find any illegality in the impugned order dated 02.03.2012, passed by the Chief Judicial Magistrate, West Champaran, Bettiah in Chanpatia P.S. Case No. 69 of 2008, whereby cognizance has been taken against the petitioners under Sections 498A/34 of the Indian Penal Code.

The Trial Court will proceed in the trial in accordance with law.



This quashing application is, accordingly,  
dismissed.

(Sanjay Priya, J)

Shageer/-

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| CAV DATE          | NA          |
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