

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31791 of 2014

Arising Out of PS.Case No. -162 Year- 2014 Thana -KAJI MUHAMMADPUR District-
MUZAFFARPUR

- =====
1. Sudhir Kumar, son of Late Nand Prasad,
 2. Mira Srivastava @ Mira Devi, wife of Sudhir Kumar, Both resident of Mohalla-Shantipuri, Station road P.S. Motihari Town, District-East Champaran.
 3. Prabhat Kumar Srivastava, son of Late Braj Nandan Prasad,
 4. Asha Kumari, wife of Prabhat Kumar Srivastava, Both resident of Mohala-Chandmari, P.S. Motihari Town, District-East Champaran,
 5. Satish Kumar, Son of Late Nand Prasad, resident of Mohalla Chitrakut Nagar, Road No.5, Bibiganj, P.S. Sadar, District-Muzaffarpur.

.... Petitioners

Versus

1. The State of Bihar,
2. Babita Kumari, wife of Manoj Kumar, D/o Surendra Kumar Sinha, Resident of Sarai Saiyad Ali, Lane No. 1, P.S. Kazi Mohammadpur, District-Muzaffarpur.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Arun Kumar

For the Opposite Party/s : Mr. Nagendra Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

6 17-11-2017 Heard learned counsel for the petitioners and learned A.P.P. appearing for of State.

2. This application has been filed under Section 482 of the Code of Criminal Procedure to quash the F.I.R. of Kazi Mohammadpur P.S. Case No. 162 of 2014, dated 21.05.2014, registered under Section 498(A)/34 of the Indian Penal Code against the accused petitioners.

3. Learned counsel appearing on behalf of petitioners submits that it would appear from the F.I.R. that the informant-O.P. No.2 Babita Kumari has filed Kazi Mohammadpur



P.S. Case No. 162 of 2014, dated 21.05.2014, registered under Section 498(A)/34 of the Indian Penal Code only on raising suspicion against the petitioners alleging therein that she has been tortured by her husband and other in-laws due to non-fulfillment of demand of dowry.

4. On perusal of F.I.R. of Kazi Mohammadpur P.S. Case No. 162 of 2014, dated 21.05.2014, registered under Section 498(A)/34 of the Indian Penal Code against the petitioners, I do not find any illegality or reason to quash the F.I.R. of Kazi Mohammadpur P.S. Case No. 162 of 2014, dated 21.05.2014, registered under Section 498(A)/34 of the Indian Penal Code against the petitioners amounting to abuse of process of Court for interference in extraordinary jurisdiction under Section 482 Cr.P.C. Accordingly, this application is dismissed

(Rajendra Kumar Mishra, J)

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