

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.43040 of 2013

Arising Out of PS.Case No. -null Year- null Thana -null District- VAISHALI(HAJIPUR)

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Sudesh Kumar @ Sudesh Singh, Son of Sri Lakhan Singh, Resident of Village-
Chakgulamuddin, P.S.-Vaishali (Belsar O.P.), District-Vaishali

.... Petitioner/s

Versus

1. State of Bihar
2. Anju Devi Wife Of Suresh Singh Daughter Of Girija Singh Resident of Village-
Rampur Teknari, P.S.-Patepur, District-Vaishali

.... 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 PRABHAT KUMAR JHA

ORAL JUDGMENT

Date: 17-04-2017

Heard both sides.

The petitioner filed this petition under Section 482 of the Code of Criminal Procedure for quashing the order dated 15.05.2010 passed in Complaint Case No. C1-1848/2008 corresponding to Trial No. 1336 of 2013 by which the learned Judicial Magistrate found prima facie case under Section 498A of the Indian Penal Code and Section 4 of Dowry Prohibition Act against the petitioner.

The petitioner filed this petition against the order dated 15.05.2010 in the year 2013 and the petitioner assailed the order that the petitioner is not the husband of the complainant. The complainant



is of suspicious character. But at the time of finding prima facie case, there was no material before the learned Judicial Magistrate to this effect to decide as to whether the petitioner is the husband of the complainant or not.

The learned Judicial Magistrate on the basis of the materials collected during the course of investigation found prima facie case under Section 498A of the Indian Penal Code and Section 4 of the Dowry Prohibition Act against the petitioner and no illegality is found in the aforesaid order.

Considering the facts aforesaid, I do not find any merit in this quashing petition. Accordingly, this quashing petition is dismissed.

(Prabhat Kumar Jha, J)

Mishra/-

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
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