

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.2498 of 2015

Arising Out of PS.Case No. -1452 Year- 2008 Thana -NALANDA COMPLAINT CASE District-
NALANDA (BIHARSHARIFF)

- =====
1. Doman Ravidas Son of Late Chando Ravidas
 2. Bedami Devi Wife of Late Chando Ravidas
 3. Rasmuni Devi Wife of Hira Ravidas
 4. Hira Ravidas Son of Late Chando Ravi Das
 5. Babloo Ravidas Son of Late Chando Ravi Das
 6. Dablu Ravidas Son of Late Chando Ravi Das
 7. Raja Kumar @ Raj Ravidas, Son of Late Chando Ravidas, All are Resident of
Village - Khusrupur, Tola Bhusi, P.S. - Khusrupur, District - Patna.

.... Petitioners

Versus

1. The State of Bihar.
2. Guddi Devi Wife of Doan Ravidas, D/o Bali Ram Ravidas, Resident of Village
- Karah Bazar, P.S. - Silao, District - Nalanda.

.... Opposite Party

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Appearance :

For the Petitioners	:	Mr. Satya Ranjan Sinha
For the O.P. No. 2	:	Mr. Upendra Kumar Ms. Kumari Sujata Singh
For the State	:	Mr. Ajit Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR

ORAL JUDGMENT

Date: 14-11-2017

Heard learned Counsel for the petitioners, learned Counsel for
the State as also the learned Counsel appearing on behalf of Opposite
party No. 2.

2. The petitioners seek quashing of the cognizance order dated
17.4.2010 passed by the SDJM Nalanda at Biharsharif in Complaint Case
No. 1452 (C) of 2008, thereby taking cognizance of the offence under



Sections 498A and 379/34 of the IPC.

3. The brief fact giving rise to the case is that the complainant filed the present complaint alleging therein that she was married with Doman Ravidas, petitioner No. 1, five years back. She was his third wife as his two wives died issueless. It is alleged that after three years of marriage all the accused persons started making demand of Thirty Thousand rupees in dowry and started torturing her in that connection. On 10.10.2008 she was driven out of the matrimonial home after assaulting her, so she came back to her parents' home. On 19.11.2008 all accused persons came to the residence of her parents at Rajgir, resided there in the night and committed theft by taking away clothes and jewelry.

4. Learned Counsel appearing on behalf of the petitioners submits that there is general and omnibus allegation against all the accused persons. Besides the husband the accused persons are father-in-law, mother-in-law, four brothers of the husband of the complainant and also the wife of the husband's brothers.

5. Having considered the rival submissions and on perusal of the record, the Court finds that the complainant is the third wife of petitioner No. 1 and she levelled allegation of making demand of further dowry after three years of marriage. The allegations levelled against the petitioners who are in-laws are only general and omnibus and only casual reference of making demand of dowry and assault only is made in the complaint; so the cognizance order with respect to the petitioners other than the husband, i.e. petitioners 2 to 7, as well as the subsequent criminal proceeding is hereby



quashed.

6. The application stands partly allowed.

(Arun Kumar, J.)

Snkumar/-

AFR/NAFR	NAFR
CAV DATE	N/A
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