

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.799 of 2016

=====

1. Dasrath Sahni Son of Late Saudagar Sahni resident of Village- Naya Tola, Hasanpur, P.S. Mahnar, District-Baishali

.... Petitioner/s

Versus

1. The State of Bihar
2. Raju Sahni Son of Tuna Sahni
3. Tuna Sahni Son of Jhodhan Sahni
4. Laljhari Devi Wife of Tuna Sahni All Resident of village-Balia, P.S. Desri, District- Vaishali

.... Respondent/s

=====

Appearance :

For the Petitioner/s : NONE

For the Respondent/s : Mr. Akshay Lal Pandit

=====

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER**

3 14-02-2017 There is no representation on behalf of the petitioner. Learned Counsel for the opposite parties is present.

By the judgment and order, dated 29.03.2016, passed in Sessions Trial No. 45 of 2016, learned Sessions Judge, Vaishali, at Hajipur, has allowed an application for discharge, under Section 227 of the Code of Criminal Procedure, 1973, made by Opposite Party Nos. 2 to 4 and while holding that no offence under Section 304B of the Indian Penal Code was made out on the basis of the materials on record, has remitted the matter back to the Court of learned Chief Judicial Magistrate, for framing of



the charge under Section 498A read with Section 34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The said judgment and order, dated 29.03.2016, is sought to be challenged by the petitioner, who is the informant of the connected Desri Police Station Case No. 238 of 2014 in the present criminal revision application filed under Section 397 read with Section 401 of the Indian Penal Code.

I have perused the impugned judgment and order, from which it appears that the learned Court below, after having gone through the case diary and having considered the statement of the witnesses and other materials on record, concluded that there was no material to suggest that the deceased died in unnatural circumstance so as to constitute an offence under Section 304B of the Indian Penal Code.

I do not find any merit in the application, which is accordingly dismissed.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

U	✓	T	✓
---	---	---	---

