

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.54119 of 2016

Arising Out of PS.Case No. -205 Year- 2016 Thana -SASARAM NAGAR District- SASARAM
(ROHTAS)

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Shankar Dyal Singh son of Ram Bachan Singh, resident of vllage + P.O. + P.S.-
Tilauthu, District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Awadhesh Singh son of Late Babulal Singh, resident of village- Panjara, P.S.-
Tilauthu, District- Rohtas. Present address: resident of village + P.S.- Tilauthu,
District- Rohtas.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Shankar Sahay, Advocate
: Mr. Rajnish Kumar Mishra, Advocate
For the Opposite Party No.2 : Mr. Arun Kumar Mandal, Advocate
For the State : Mr.Akshay Lal Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL JUDGMENT

Date: 08-09-2017

Heard learned counsel for the petitioner and learned counsel
for opposite party no.2.

2. This application under Section 482 of the Code of
Criminal Procedure (for short 'the CrPC') has been filed by the
petitioner for quashing the order taking cognizance dated 15.07.2016
passed by the learned Chief Judicial Magistrate, Rohtas at Sasarm for
the offences under Sections 504 and 506 of the Indian Penal Code as
well as Sections 3 and 4 of the Dowry Prohibition Act in Sasaram
Town (Tilauthu) P.S. Case No.205 of 2016.

3. The allegations made in the First Information Report (for



short 'the FIR') do attract ingredients of the offences alleged. The investigating officer found the allegation to be true in course of investigation and charge-sheeted the petitioner and others.

4. On perusal of the police report submitted under Section 173(2) of the CrPC and other relevant documents like FIR and the statement of the witnesses recorded under Section 161(3) of the CrPC, the learned Chief Judicial Magistrate, Rohtas at Sasaram took cognizance of the offence vide order dated 15.07.2016. It has also been brought to the notice of the Court, in course of argument, that, by now, charges have also been framed and trial is going on.

5. Having regard to the facts stated above, I see no illegality in the order impugned. Accordingly, the application, being devoid of any merit, is dismissed.

(Ashwani Kumar Singh, J)

Md.S./-

AFR/NAFR	NAFR
CAV DATE	N/A
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