

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1225 of 2014

Arising Out of PS.Case No. -951 Year- 2012 Thana -NALANDA COMPLAINT CASE District-
NALANDA (BIHARSHARIFF)

- =====
1. Sudhir Kumar Son Of Birendra Prasad Residents Of Village Tehiyapar, P.S. Khizar Sarai District Gaya
 2. Birendra Prasad Son Of Ram Chandra Prasad Residents Of Village Tehiyapar, P.S. Khizar Sarai District Gaya
 3. Shabuja Devi Wife Of Birendra Prasad Residents Of Village Tehiyapar, P.S. Khizar Sarai District Gaya
 4. Ram Chandra Prasad Son Of Lae Ram Saran Prasad Residents Of Village Tehiyapar, P.S. Khizar Sarai District Gaya
 5. Sonmati Devi Wife Of Ram Chandra Prasad Residents Of Village Tehiyapar, P.S. Khizar Sarai District Gaya
 6. Punam Kumar @ Punam Devi Daughter Of Ram Chandra Prasad Residents Of Village Tehiyapar, P.S. Khizar Sarai District Gaya

.... Petitioners

Versus

1. The State Of Bihar
2. Rajesh Prasad Son Of Late Dilip Yadav Resident Of Village Ranipur Khurd, P.O & P.S. Telhara Distt Nalanda.
3. Bittu Kumari Aged About 15 Years (Minor) Daughter Of Rajesh Prasad, Resident Of Village Ranipur Khurd P.O & P.S. Telhara Distt Nalanda.

.... Opposite Parties

=====

Appearance :

For the Petitioner/s : Mr. Yogendra Kumar Singh
For the Opposite Party/s : Mr. Shyam Bihari Singh(App)

=====

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

6 17-07-2017

Heard.

This application has been filed under Section 482 of the Code of Criminal Procedure to quash the order dated 18.02.2013 passed in Complaint Case No. 951 (C) of 2012, whereunder the Court of ACJM, Hilsa (Nalanda) summoned the accused petitioners , on enquiry, under Section 204 of the Cr.P.C. finding prima facie case under Section 498(A) of the I.P.C. and Section 3/4 of the Dowry



Prohibition Act against the petitioners.

Learned counsel for the petitioners submits that, in fact, petitioner No.1 was kidnapped by family members of O.P. No. 3 while he was minor and his marriage was performed forcible with O.P. No.3, who was also minor, regarding the said incident Compliant Case No. 1129 of 2012 was instituted by petitioner No.2, father of petitioner No.1 against family members of O.P. No.3. As such, no question arise about torturing of O.P. No.3 at the hand of the petitioners, therefore, the impugned order is bad in law.

On going through the impugned order, I do not find any illegality amounting to abuse of process of Court for interference in extraordinary jurisdiction under Section 482 Cr.P.C. Accordingly, this application is dismissed. However, the petitioner would be at liberty to raise their points as raised herein before the trial court at appropriate stage.

(Rajendra Kumar Mishra, J)

manish/-

U		T	
---	--	---	--

