

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34182 of 2013

Arising Out of PS.Case No. -3348 Year- 2009 Thana -VAISALI COMPLAINT CASE District-
VAISHALI(HAJIPUR)

- =====
1. Manoj Kumar Sah S/O Late Jagdish Sah Resident Of Village- Lakhi Jewellers Lthoriya Road, Niyampur, P.S.- Kutti, District- Bardwan (W.B.)
 2. Ashok Kumar Sah S/O Late Jagdish Sah Resident Of Village- Lakhi Jewellers Lthoriya Road, Niyampur, P.S.- Kutti, District- Bardwan (W.B.)
 3. Pradeep Kumar Sah S/O Late Jagdish Sah Resident Of Village- Lakhi Jewellers Lthoriya Road, Niyampur, P.S.- Kutti, District- Bardwan (W.B.)
 4. Dilip Kumar Sah S/O Late Jagdish Sah Resident Of Village- Lakhi Jewellers Lthoriya Road, Niyampur, P.S.- Kutti, District- Bardwan (W.B.)
 5. Rita Devi W/O Ashok Kumar Sah Resident Of Village- Lakhi Jewellers Lthoriya Road, Niyampur, P.S.- Kutti, District- Bardwan (W.B.)
 6. Munni Devi W/O Dilip Kumar Sah Resident Of Village- Lakhi Jewellers Lthoriya Road, Niyampur, P.S.- Kutti, District- Bardwan (W.B.)
 7. Amarnath Gupta S/O Birendra Prasad Sah Resident Of Khizar Sarai, P.S.- Khizar Sarai, District- Gaya

.... Petitioners

Versus

1. The State Of Bihar
2. Dolly Devi W/O Manoj Kumar Sah, S/O Late Devendra Prasad Sah Resident Of Village- Niyamatpur, P.S.- Kulti District- Bardhman (W.B.) At Present Resident At Village + P.O.- Sarai, District- Vaishali.

.... Opposite Parties

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Appearance :

For the Petitioners : None.

For the Opposite Parties : Mr. Renuka Ratnakar (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

6 04-04-2017 Today no one appears on behalf of the petitioners. On

15.02.2017 also no one has appeared on behalf of the petitioners.

Heard the learned A.P.P. for the State.

This Criminal Miscellaneous has been filed for
quashing the proceeding of Complaint Case No. 3348 of 2009/



Trial No. 1298 of 2013, wherein the learned Sub. Divisional Judicial Magistrate, Hajipur vide order dated 12.04.2010 has taken cognizance under section 498 (A) of the I.P.C. and section 3/4 of the Dowry Prohibition Act against all the petitioners.

Perused the complaint petition and the order taking cognizance. From the complaint petition and the materials available on the record it reveals that prima-facie case is made out against the petitioners for committing offence under section 498 (A) of the I.P.C. and section 3/4 of the Dowry Prohibition Act. There is nothing on the record to show that the proceeding of complaint case is vitiated. The order taking cognizance has been passed after considering the materials collected during investigation. At this stage, the court is required to see as to whether on the basis of the materials collected during enquiry prima-facie case is made out or not.

The learned Sub. Divisional Judicial Magistrate after considering the materials collected during enquiry had passed the impugned order. Thus, there being no illegality, incorrectness or impropriety, no interference is required by this Court.

In the result, finding no merit in this Criminal Miscellaneous the same is hereby dismissed.

(Jitendra Mohan Sharma, J)

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