

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20181 of 2014

Arising Out of P.S.Case No. -1726 Year- 2012 Thana -MADHUBANI COMPLAINT CASE
District- MADHUBANI

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Md. Kurban S/o Late Md. Shubhan Resident of Village Meran, Madrapur,
Police Station Rajnagar, District Madhubani.

.... Petitioner

Versus

1. The State of Bihar.
2. Haira Khatoon W/o Md. Kurban, D/o Md. Mustakim Resident of
Village Gauri Meran, Lalapur, P.S. Rajnagar, District Madhubani.

.... Opposite Parties

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Appearance :

For the Petitioner	:	Mr. Ratanakar Jha, Advocate
For the Opposite Party No.2	:	Mr. Rajesh Ranjan, Advocate
For the State	:	Mr. Humayu Ahmad Khan, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

6 04-07-2017 Heard.

2. This application under Section 482 of the Cr.P.C. has been filed to quash the order dated 11.02.2013 passed by Sri Basant Kumar, Judicial Magistrate, Ist Class, Madhubani in Complaint Case No.1726 of 2012 (Trial No.2733 of 2013) whereby and whereunder cognizance for the offence under Section 498A of the IPC was taken against the petitioner.

3. After hearing both sides and on perusal of documents enclosed with this application, I find that this petitioner is the husband of Opposite Party No.2 having specific allegation that after marriage which took place in the year 2010, this petitioner



started torturing her as the demand of Rs.50,000/- was not fulfilled by the Opposite Party No.2 or her parents. The complainant at the time of enquiry supported the allegation on her solemn affirmation. Besides that the witnesses examined on her behalf also supported the allegation of assault and torture. The court below on being satisfied with the materials on record summoned the petitioner to face the trial for the offence under Section 498A of the IPC.

4. In view of discussions made above, I do not find any merit in the this application. This application is devoid of merit and is accordingly dismissed.

(Sanjay Kumar, J)

B.Kr./-

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