

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28413 of 2014

Arising Out of PS.Case No. -324 Year- 2010 Thana -SAHARSA District- SAHARSA

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1. Rajendra Sharma @ Rajdeo Sharma Son of Late Ram Prasad Sharma
2. Meena Devi Wife of Rajendra Sharma
3. Anjula Devi Wife of Pramod Sharma
4. Lalita Devi Wife of Sanjay Sharma
5. Pramod Sharma Son of Rajendra Sharma
6. Praman Sharma @ Parmanand Sharma Son of Rajendra Sharma All are
r/o Jhapra Tola, P.S. Saharsa, District Saharsa, Parmanent Address
Bajjnathpur, P.S. Saurbazar, District Saharsa

.... Petitioner/s

Versus

1. The State of Bihar
2. Soni Devi Wife of Dabau Sharma R/o Village Jhapra Tola, P.S. Saharsa,
District Saharsa

.... Opposite Party/s

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Appearance :

For the Petitioner/s : None
For the Opposite Party/s : None
For the State : Mr. Jharkhandi Upadhyay, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR
SINGH
ORAL ORDER

3 22-08-2017 This application under Section 482 of the Code of Criminal Procedure has been filed by the petitioners for quashing the order dated 05.03.2013 passed in Sadar P.S. Case No. 324/2010 by which the learned Chief Judicial Magistrate, Saharsa has taken cognizance of the offences punishable under Sections 498-A, 323, 494 and 307/34 of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act.

Perused the materials available on record.

It would be manifest from perusal of the First Information Report, instituted on the basis of oral statement of the informant Soni Devi, which was recorded by the police at Sadar



Hospital, Saharsa in emergency ward on 03.08.2010 at 11:00 PM, that after marriage with the accused Deobo Sharma, the informant was being subjected to cruelty in various ways in her matrimonial home by the petitioners for non-fulfillment of demand of dowry. Though, a child out of the wedlock, her husband and in-laws continued to subject her to cruelty. She has further alleged that her husband Deobo Sharma married another lady with the consent of his family members and brought her in the matrimonial home and when the informant protested, she was dragged along with her little child to the courtyard and an effort was made to set them on fire after sprinkling kerosene oil on them. It is alleged in the F.I.R. that the informant and her son had sustained serious injuries and were undergoing treatment in the emergency ward of the hospital. After completing the investigation of the case, the police found the allegations made in the F.I.R. to be true. Accordingly, charge-sheet was submitted in the court and cognizance has been taken vide impugned order dated 05.03.2013.

Having regard to the nature of allegations made in the First Information Report, which have been found true during investigation, I see no illegality in the order dated 05.03.2013 passed by the learned Chief Judicial Magistrate, Saharsa.

Accordingly, the petition is dismissed.

(Ashwani Kumar Singh, J.)

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