

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.33118 of 2014

Arising Out of PS.Case No. -84 Year- 2007 Thana -AMBA District- AURANGABAD

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1. Gudiya @ Monika Kumari @ Monika Pandey, Wife of Pankaj Pandey
2. Pankaj Kumar @ Pankaj Kumar Pandey, Son of Late Nageshwr Pandey, Both Resident of Village-Shitalpur, P.S.-Shitalpur, District-Chapra at present residing at 450 BAnsдумани Park Regent Park Kolkata700070.

.... Petitioner/s

Versus

1. The State of Bihar
2. Srigdha Tiwari, Wife of Chandra Tiwari, Daughter of Birendra Upadhyaya, Resident of Village-Telhara, P.S.-Amba, District-Aurangabad.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL JUDGMENT

Date: 31-07-2017

Heard learned counsel for the petitioners and learned counsel for the Opposite Parties.

2. This application, under Section 482 of the Code of Criminal Procedure, is directed against the order dated 24.09.2013/29.10.2013 passed in Amba P.S. Case No. 84 of 2007, whereby the learned Chief Judicial Magistrate, Aurangabad, took the cognizance for the offence under Sections 323, 498(A), 494 and 379/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act against six accused persons named in the F.I.R. including the petitioners, on perusal of the materials available in the



case diary.

3. Learned counsel for the petitioners submits that, in fact, petitioners are married sister-in-law (Nanad) and brother-in-law (Nandoshi) of the informant-opposite party no. 2 and they have falsely been implicated in this case.

4. On going through the impugned order, I find no illegality in the impugned order amounting to abuse of the process of the court for interference in inherent jurisdiction under Section 482 of the Code of Criminal Procedure. Accordingly, this application is dismissed. However, the petitioners would be at liberty to raise their defence/points in trial court at the appropriate stage.

(Rajendra Kumar Mishra, J)

Bhardwaj/-

AFR/NAFR	
CAV DATE	
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