

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.31898 of 2017

Arising Out of PS.Case No. -268 Year- 2016 Thana -BHAGALPUR COMPLAINT CASE District-
BHAGALPUR

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Ranjeet Jaiswal @ Ranjeet Kumar Jaiswal, Son of Shivshankar
Chaudhary, R/o Room No.55, third floor, Block No.7, Income Tax
Colony, Manjura Gate, Surat, Gujrat.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Seema Kumari @ Dalia, W/o Ranjeet Jaiswal, D/o Shambhu Nath
Bhagat, R/o Mohalla- Ishakchak, P.S.- Ishachak, District-Bhagalpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Pandey

For the Opposite Party/s : Mr. Sri Humayou Ahmad Khan

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN

PRASAD

ORAL ORDER

2 26-10-2018 Petitioner has prayed for quashing of the order
dated 27.01.2017 passed by learned S.D.J.M., Bhagalpur by
which the learned S.D.J.M. has taken cognizance of the offence
under Section 498A of the Indian Penal Code and Sections 3/4
of the Dowry Prohibition Act in Complaint Case No.268 of



2016.

In course of argument, learned counsel for the petitioner has taken a plea that on perusal of the complaint petition it would appear that no part of the cause of action has arisen within the jurisdiction of the court at Bhagalpur.

The petitioner is the husband of the opposite party no.2. On perusal of the complaint case, this Court finds that in paragraph 11 of the complaint petition the complainant has specifically alleged about her torture which she suffered and thereafter she was brought to Bhagalpur where she had stayed for four months. In paragraph 12 of the complaint petition again there are certain statements from which it is apparent that the complaint petition does talk of certain part of the cause of action at Bhagalpur. In the impugned order, the learned Judicial Magistrate has taken note of the fact that apart from the statements made on oath by the complainant at least three enquiry witnesses have supported the case of the complainant. The petitioner has not even enclosed the statements of those enquiry witnesses for perusal by this Court.

In the given facts and circumstances of the case, this Court does not find any reason to interfere with the impugned order.



The application is dismissed.

(Rajeev Ranjan Prasad, J)

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