

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.4748 of 2017

Arising Out of PS.Case No. -468 Year- 2016 Thana -DARBHANGA COMPLAINT CASE District-
DARBHANGA

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Md. Juber, son of Md. Kamruddin @ Kamrudin @ Nanhe, resident of village -
Bakhri Salona, P.S.- Bakhari, District - Begusarai

.... Petitioner/s

Versus

1. The State of Bihar
2. Dilkash Praveen, wife of Md. Juber, daughter of Md. Hasan, resident of village-
Narsare, Bishanpur, P.S.- Bishanpur, District - Darbhanga

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha, Advocate
For the State : Mr. Arbind Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 19-03-2018

This application under Section 482 of the Code of Criminal Procedure (for short 'the Cr.P.C.') has has been filed by the petitioner for quashing the order dated 08.12.2016 passed by the learned Sub Divisional Judicial Magistrate, Darbhanga in Complaint Case No.468 of 2016 by which finding a prima facie case under Section 498A read with Section 34 of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act to be made out, the petitioner has been summoned to face trial.

2. On perusal of the complaint, it would be manifest that the complainant has alleged that after marriage she was subjected to cruelty in her matrimonial home for non-fulfillment of demand of rupees twenty five thousand in cash and a motorcycle. She has alleged



that repeatedly she was being assaulted by the petitioner, who is her husband, and twice he ousted her out of matrimonial home. The complainant and the witnesses have supported the allegations in course of enquiry conducted under Section 202 of the Cr.P.C.

3. In that view of the matter, I see no illegality in the order dated 08.12.2016 whereby the petitioner has been summoned to face trial after finding a prima facie case to be made out under Section 498A read with Section 34 of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act.

4. The application is dismissed, accordingly.

(Ashwani Kumar Singh, J)

Md.S./-

AFR/NAFR	NAFR
CAV DATE	N.A.
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