

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14362 of 2016

Arising Out of PS.Case No. -25 Year- 2014 Thana -MAHILA P.S. District- SASARAM (ROHTAS)

- =====
1. Jai Prakash Gupta @ Jai Prakash Kumar Gupta son of Mahendra Prasad Gupta R/o Mathia Muhalla P.S. Buxar (T) Distt- Buxar. at present R/o Niranjana Bigha Panchvati Muhalla P.S. Indrapuri Distt- Rohtas at Sasaram.
 2. Murari Kumar Gupta @ Murari Kumar son of Mahendra Prasad Gupta
 3. Pragya Kumari wife of Murari Kumar Gupta R/o Mathia Muhalla Buxar P.S. Buxar (T) Distt- Buxar.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Priyanka Kumari W/o Jai Prakash Gupta R/o Niranjana Bigha, Panchvati Muhalla, P.S. Indrapuri, Distt- Rohtas at Sasaram.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Kamal Deo Sharma

For the Opposite Party/s : Mr. Ram Naresh Roy (App)

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

6 03-10-2018 Heard the learned counsel for the petitioners as well as the State.

The present petition has been filed for quashing the order dated 11.05.2015 passed by learned S.D.J.M., Dehri-on-Sone (Rohtas) in Dehri (Mahila) P.S. Case No. 25/2014, whereby the court below has found *prima facie* case under Sections 498(A), 323 and 504 of the Indian Penal Code as well as Sections 3 of D.P. Act against petitioners.

It is alleged in the written report that informant was married with Petitioner no. 1. It is further alleged that after



marriage, the informant was subjected to mental torture by these petitioners for non-fulfillment of demand of dowry. She was also ousted from her matrimonial house.

Report of the court below has been received in this case, which shows that case is pending for evidence and processes for appearance of witnesses have been issued.

Xerox copy of up-to-date order-sheet has been received, from which it appears that charge has already been framed against petitioners for offences under Sections 498A/34 of the Indian Penal Code and Section 34 of D.P. Act.

Therefore, this Court is not inclined to interfere with the impugned order at this stage.

The Cr. Misc. petition is accordingly dismissed.

The court below is directed to proceed with the case in accordance with law.

(Sanjay Priya, J.)

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