

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.20356 of 2017

Arising Out of PS.Case No. -626 Year- 2014 Thana -PATNA COMPLAINT CASE District-
PATNA

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Tarun Paharia, son of late Prabhakar Paharia, resident of 127, Bricklin Road, 5083,
Lumbini Square, Prusaiwalkam, P.S. Vepery, District- Chennai, State- Tamil Nadu.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Rekha Prasad, wife of Gaya Prasad, resident of Mohalla- Dariyawa Baj,
Bahadurpur, P.S.- Chowk, District- Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : None.
For the opposite party No.2: Mr. A.K. Sinha, Advocate.
For the State : Mr. Shyam Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL JUDGMENT

Date: 17-07-2018

1. This application under Section 482 of the Code of Criminal Procedure has been filed for quashing the order dated 05.07.2014 passed by learned Judicial Magistrate, Patna City, Patna, in Complaint Case No. CA 626 of 2014 by which the learned Magistrate after holding enquiry has found *prima facie* case against the petitioner and other accused persons for the offences under Section 498A of the Indian Penal.

2. Heard learned counsel for the complainant and learned counsel for the State.

3. Petitioner is husband of the complainant. From the order sheet it appears that none appeared on behalf of the petitioner on



16.07.2018. Today, also none appeared on behalf of the petitioner.
The opposite party No. 2 is present.

4. From perusal of the impugned order, this Court finds that court below during enquiry after recording Solemn Affirmation of the complainant and statement of other witnesses has found *prima facie* case against the petitioner for the offence under Section 498A of the Indian Penal Code.

5. This Court does not find any illegality in the impugned order.

6. This Criminal Miscellaneous application is accordingly dismissed.

7. The court below will proceed in the case in accordance with law and will try to dispose of the same as early as possible.

(Sanjay Priya, J)

S.Ali/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	25/07/2018
Transmission Date	25/07/2018

