

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32637 of 2014

Arising Out of PS.Case No. -1268 Year- 2013 Thana -BHABHU(KAIMUR) COMPLAIN C
District- BHABHUA (KAIMUR)

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Gautam Kumar @ Sunil Kumar, Son of Late Lallu Ram, Resident of Village - Baraila, P.S. - Shivsagar, District - Rohtas, at present Railway Awas No. 884(B), Shashtri Colony, Mugalsarai, P.S. - Mugalsarai, District - Chandauli (U.P.).

.... Petitioner/s

Versus

1. The State of Bihar
2. Sandhya Devi, Wife of Gautam Kumar @ Sunil Kumar, Resident of Village - Professor Colony, Bhabua Ward No. 5, P.S. - Bhabua, District - Kaimur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : None.
For the complainant : Mr. Satyendra Pandey, Advocate.
For the State : Mr. S.M. Rahman, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

- 5 14-05-2018 1. This application under Section 482 of the Code of Criminal Procedure has been filed for quashing the order dated 14.12.2013 passed by the learned Judicial Magistrate, 1st Class, Kaimur, in Complaint Case No. 1268C of 2013 by which the learned Magistrate after holding enquiry has found *prima facie* case against the petitioner and three other accused persons for the offences under Section 498A of the Indian Penal Code.
2. As per prosecution story the complainant was married with this petitioner in the year 2013. It is alleged that after marriage petitioner started committing torture with the



complainant for demand of dowry and lastly he kicked out the complainant from her matrimonial house.

3. Earlier the matter was sent to Mediation Centre by order dated 04.12.2014. The report of the Mediator dated 31.3.2015 has been received from which it appears that matter could not be settled in Mediation Centre due to absence of the petitioner.

4. None appeared on behalf of the petitioner.

5. The learned counsel for the complainant and the State are present.

6. It appears that on 9.8.2017 also none had appeared on behalf of the petitioner and the interim order of stay was vacated.

7. Therefore, this application is dismissed as not pressed.

8. The Court below will proceed with the case in accordance with law.

(Sanjay Priya, J)

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