

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.50822 of 2014

Arising Out of PS.Case No. -33 Year- 2012 Thana -MAHILA P.S. District- MADHEPURA

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1. Praveen Kumar, Ashok Kumar Resident of village- Mirchaibari, P.S. Janki Nagar, District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar
2. Khushboo Kumari, Daughter of Vidyanand Sah Resident of village - Rampur, P.S Murliganj, District-Madhepura.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr. Yogendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL JUDGMENT

Date: 08-01-2018

Heard the learned counsel for the petitioner and the learned
APP for the State.

This application under Section 482 of the Code of Criminal Procedure has been filed for quashing the order dated 06.02.2014 passed by the learned Chief Judicial Magistrate, Madhepura in Mahila Police Station Case No. 33 of 2012, G.R. No. 1323 of 2012 by which order the learned Magistrate after holding enquiry has found prima facie case against the petitioner for the offence under Sections 498(A), 406/34 of the IPC and 34 of the Dowry Prohibition Act.

From the impugned order, it appears that this petitioner was absconding during the period of police investigation. The police



have submitted charge-sheet showing him absconder. Thereafter, the court below, after looking into the matters in case diary, took cognizance against this petitioner and other accused persons under Sections 498(A), 406/34 of IPC and 34 of Dowry Prohibition Act.

Therefore, this Court does not find any illegality in the impugned order passed by the learned Magistrate. This application is, accordingly, dismissed.

The petitioner is given liberty to raise all the points as raised in this Court, at the time of framing of charge, which shall be considered and disposed off by the court below in accordance with law without being prejudiced by order of this Court.

(Sanjay Priya, J)

khushbu/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	
Transmission Date	

