

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.155 of 2016

Arising Out of PS. Case No.-2355 Year-2014 Thana- MUZZFARPUR COMPLAINT CASE
District- Muzaffarpur

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1. GANGA PRASAD SINGH @ GANGA PRASAD son of Late Ram Swarup Singh
 2. Laxmi Singh Wife of Ganga Prasad Singh Both resident of village- Harilochanpur Tiswara, P.S.- Sarairanjan District- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Madhu Mala Singh @ Byuti Kumari wife of Saket Kumar Singh, R/o village- Hari Lochanpur Tiswara, P.S.- Sarairanjan, District- Samastipur. At present D/o Uma Shankar Pandey Village- Basantpur, Bakhari, P.S.- Sakara, District- Muzaffarpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surya Narayan Roy
For the Opposite Party/s : Mr. Suresh Prasad Singh (App)

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 13-08-2018 This petition under Section 482 Cr. P.C. has been filed for quashing the order dated 5.5.15 passed by learned SDJM, East Muzaffarpur in complaint case no. 2355 of 2014 by which learned Magistrate has taken cognizance against the petitioners and others under Section 498A of the IPC and Section 4 of the D.P.Act.

Learned counsel for the petitioners has submitted that petitioners are father-in-law and mother-in-law in a case under Section 498A of the Indian Penal Code.

Notice was issued to opposite party no.2. But none has



appeared on behalf of the opposite party no.2.

In the complaint petition, there is specific allegation against these petitioners that they along with husband of the complainant committed physical and mental torture with opposite party no.2. They assaulted her with fists and slaps etc. and also abused her because she gave birth to two daughters and ultimately she was ousted from the matrimonial house. The accused persons refused to keep her in the matrimonial house. She was forced to live in her Naihar with two daughters. The accused persons also kept her all Stridhan.

Therefore, this Court is not inclined to interfere with the impugned order dated 05.05.15 passed by learned SDJM, East Muzaffarpur in complaint case no. 2355 of 2014. The Cr. Misc. petition is, accordingly, dismissed.

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

(Sanjay Priya, J)

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