

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14669 of 2019

Arising Out of PS. Case No.-80 Year-2015 Thana- RUDRAPUR District- Madhubani

MASOMAT RANJU DEVI @ RANJU DEVI Wife of Late Sushil Kumar Singh D/o Siya Ram Jha, Resident of Village - Pachahi, P.S. - Madhepur, District - Madhubani.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Bandana Devi Wife of Sudhir Kumar Jha Daughter of Parmanand Jha, Resident of Village - Navnagar, P.S. - Rudrapur, District - Madhubani.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subhash Kumar Jha, Adv.
For the Opposite Party/s : Mr. Suresh Pd. Singh, APP

CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

2 15-03-2019 Heard learned counsel for the petitioner as well as learned APP.

Petitioner is aggrieved by an order dated 02.01.2019 passed by Sessions Judge, Madhubani in Cr. Revision No.785 of 2018/926 of 2018 whereby dismissing the same confirmed the order dated 18.07.2018 passed by SDJM, Jhanjharpur in connection with Rudrapur P.S. Case No.80/2015, Trial No.3138/2018 whereby and whereunder the prayer made on behalf of petitioner under Section 239 of the Cr.P.C. has been rejected.

Petitioner is the widow Nanad. Her one of son is handicap and was reading at Nagpur (polytechnic) and to



facilitate his education, the remaining accused persons at her instance demanded ornaments from the complainant so that, after sale, the money be collected. When refused, the accused persons became angry, assaulted and then snatched away the ornaments and sold it away. The amount having procured therefrom was utilized in getting the education of son of the petitioner and right from that very point, the attitude of the Sasuralwala changed whereunder she was frequently subjected to torture and the details thereof, has been incorporated. In para-8 of the petition there happens to be an admission that after death of the husband she came to her Naihar and began to stay there since 2007. Furthermore, in para-11 there also happens to be an admission that one of sons of the petitioner namely Vinay Jha, a handicap got himself admitted at polytechnic course, Nagpur but, denied the allegation that educational cost was borne by Naiharwala rather there happens to be disclosure that the father-in-law of the petitioner sold the property on 10.07.2013 and the sale proceed was used to facilitate completion of education of the son of the petitioner. These things are subject to trial as, such assertion could not be and should not be the subject matter of consideration during course of prayer having made under Section 482 of the Cr.P.C.



Accordingly, instant petition lacks merit and is accordingly dismissed.

(Aditya Kumar Trivedi, J.)

Prakash Narayan

U		T	
---	--	---	--

