

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43057 of 2019

Arising Out of PS. Case No.-341 Year-2016 Thana- KATIHAR COMPLAINT CASE
District- Katihar

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1. TANWIR Alam Son of Md. Harun Resident of Village - Barahpura Jhoparpatti, Near Chhoti Line, P.s.- Ishakchak, Dist.- Bhagalpur.
 2. Md. Harun @ Harun Son of late Md. Ganauri Resident of Village - Barahpura Jhoparpatti, Near Chhoti Line, P.s.- Ishakchak, Dist.- Bhagalpur.
 3. Bibi Zarina Khatoon Wife of Md. Harun Resident of Village - Barahpura Jhoparpatti, Near Chhoti Line, P.s.- Ishakchak, Dist.- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Kulsum Begum Wife of Md. Tanwir Alam Resident of Village - Rajitpur, P.S.- Katihar Mufassil, Dist.- Katihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Najmul Hodda, Advocate
For the Opposite Party/s : Mr. Amit Kumar Rakesh

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 01-08-2019 The petitioners who are the husband and parents-in-law seek quashing of the order dated 18.06.2016 passed by the learned Sub-Divisional Judicial Magistrate, Katihar in connection with Complaint Case No. 341 of 2016 whereby cognizance has been taken under Section 498(A) of the Indian Penal Code and under Section 4 of the Dowry Prohibition Act.

Mr. Md. Najmul Hoda, learned advocate for the



petitioners submits that processes under Sections 82 and 83 have been issued against the petitioners because of their non-appearance.

It has been submitted that the petitioners did not know about the case and therefore they could not appear before the court below. However this cannot be the ground on which this petition could be entertained.

It would be open for the petitioners to appear before the trial court and seek necessary relief.

The petition is dismissed on the ground of the petitioners not having surrendered to the process of law.

(Ashutosh Kumar, J)

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