

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8381 of 2015**

Arising Out of PS. Case No.-52 Year-2013 Thana- MAHILA P.S. District- Saharsa

Navin Kumar Bablu @ Bablu @ Navin Kumar Yadav, Son of Jaleshwar Yadav, resident of village - Sisouna, P.S. Mahish, District – Saharsa, at present Batraha, Ward No. 23, Saharsa, P.S. and District – Saharsa.

... .. Petitioner

Versus

1. The State of Bihar
2. Sima Devi, wife of Navin Kumar Bablu @ Bablu @ Navin Kumar Yadav, resident of village - Sisouna, P.S. Mahish, District – Saharsa, at present Batraha, ward No. 23, Saharsa, P.S. and District - Saharsa, D/o Ram Chandra Yadav, at Present Refugee Colony, Ward No. 6, Saharsa, P.S. and District – Saharsa.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma APP

**CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL JUDGMENT**

Date : 21-06-2019

Heard learned counsel appearing for the parties.

In this case, the petitioner is challenging the order dated 11.12.2014 passed by the learned Chief Judicial Magistrate, Saharsa, in Saharsa Sadar Mahila P.S. Case No.52 of 2013, by which he has taken cognizance against the petitioner and other family member for the offence under Section 498(A) and 494/34 of the Indian Penal Code as well as under Section 3/4 of the Dowry Prohibition Act.



The present case has been set in motion on lodging an F.I.R. being Saharsa Sadar Mahila P.S. Case No. 52 of 2013 for the offence under Section 498(A), 379/34 of the Indian Penal Code as well as under Section 3/4 of the Dowry Prohibition Act, wherein allegation has been made that the marriage of opposite party no.2 was solemnized with present petitioner as per Hindu rites in Kahra temple and after that she had gone to her in-laws house. Whereafter, her husband and other family members started misbehaving with her for dowry and they used to assault her and ask to bring Rs.2,00,000/- as dowry and one motor-cycle including Sony LCD and threatened that if she would fail to bring they will terminate her pregnancy and kill her. It has further been alleged that the petitioners kept her in a close room and did not provide meal, which she has informed her parents and whereafter her parents came and took away her. On that basis, the Police investigated the case and submitted the charge-sheet, accordingly cognizance has been taken against the petitioners.

The petitioner is the husband of the opposite party no.2 and there is direct allegation against him, hence, this Court does not find any error in the order cognizance. Accordingly, this petition is dismissed. Let the petitioner face the trial and the



fate will be decided as per the terms of the judgment passed by
the Court below in connection with Saharsa Sadar P.S. Case No.
52 of 2013.

(Shivaji Pandey, J)

pawan/-

AFR/NAFR	N.A.F.R.
CAV DATE	N/A.
Uploading Date	25.06.2019
Transmission Date	25.06.2019

