

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 78688 of 2019

Arising Out of PS. Case No.-555 Year-2018 Thana- SIWAN MUFFASIL District- Siwan

1. PARAS NATH PANDEY Son of Late Raghunath Pandey Resident of Village and P.S.-Fulwaria, District-Gopalganj.
2. Smt. Meera Pandey Wife of Paras Nath Pandey Resident of Village and P.S.-Fulwaria, District-Gopalganj.
3. Mukesh Kumar Pandey Son of Paras Nath Pandey Resident of Village and P.S.-Fulwaria, District-Gopalganj.
4. Bandana Devi @ Smt. Bandana Kumari Wife of Mukesh Kumar Pandey Resident of Village and P.S.-Fulwaria, District-Gopalganj.
5. Manan Kumar Rai @ Manan Rai Son of Nagendra Rai Resident of Village-Sonahulla, P.S.-Gopalpur, District-Gopalganj.
6. Nisha Kumari @ Nisha Rai Wife of Manan Kumar Rai @ Manan Rai Resident of Village-Sonahulla, P.S.-Gopalpur, District-Gopalganj.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
2. Munni Devi Wife of Rakesh Kumar Pandey, Daughter of Sri Meghnath Rai Resident of Mohalla-Adarshnagar Mahadeva, P.S.-Siwan Muffasil (Mahadewa OP), District-Siwan.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Roy
For the Opposite Party/s : Mr.Mohammad Sufyan

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 03-12-2019 Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State.

The present application has been filed for quashing the order of cognizance dated 30.04.2019 passed by learned SDJM, Siwan in connection with Siwan Muffasil (Mahadewa O.P.) P.S. Case No. 555 of 2018 whereby and whereunder the learned SDJM has been pleased to take cognizance against the



petitioners under Sections 498-A, 406, 504/34 of the IPC and $\frac{3}{4}$ of Dowry Prohibition Act, on erroneous grounds overlooking that the entire case against the petitioners are vindictive, malicious and without substance, which is pending before the learned SDJM, Siwan.

Learned counsel for the petitioner submits that the entire family has been roped in, in connection with the present case and the learned Magistrate without appreciating the case of the petitioners has taken cognizance against them.

Having perused the entire facts and circumstances and considering the allegations made against the petitioner, I am not inclined to interfere in the order dated 30.04.2019 passed by learned SDJM, Siwan in connection with Siwan Muffasil (Mahadewa O.P.) P.S. Case No. 555 of 2018.

It is, accordingly, dismissed.

(Anjana Mishra, J)

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