

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80709 of 2019

Arising Out of PS. Case No.-734 Year-2018 Thana- VAISALI COMPLAINT CASE District-
Vaishali

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1. Shiromani Devi, Wife of Kapildeo Rai, Resident of Village - Aghlалpur, Dashara, P.S.- Patori, District- Samastipur
 2. Kapildeo Rai, Son of Late Rambaran Rai, Resident of Village - Aghlалpur, Dashara, P.S.- Patori, District- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Muni Raj, Wife of Mukesh Kumar, D/O - Surendra Rai Presently residing at Village - Gadhai Sarai, P.S.- Sadar Hajipur, District- Vaishali

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam
For the Opposite Party/s : Mr.Damodar Prasad Tiwary

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL JUDGMENT

Date : 09-01-2020

Heard learned counsel for the petitioner and the learned
counsel for the State.

2. This application, under Section 482 of the Code of Criminal Procedure, is directed against the order dated 18.08.2018 passed in Complaint Case No. 734 of 2018, whereby the learned Additional Chief Judicial Magistrate-X, Vaishali at Hajipur, summoned the accused-petitioners and others, on inquiry, under Section 204 of Cr.P.C finding the prima facie case, under Section 498(A) of the Indian Penal Code.



3. Learned counsel for the petitioners submits that petitioners being the mother-in-law and father-in-law of opposite party no. 2 have falsely been implicated in the present case.

4. On going through the impugned order, I find no illegality in the impugned order amounting to abuse of the process of the court for interference in inherent jurisdiction under Section 482 of the Code of Criminal Procedure.

5. Accordingly, this application is dismissed. However, the petitioners would be at liberty to raise his defence/points in trial court at the appropriate stage.

(Rajendra Kumar Mishra, J)

Bhardwaj/-

AFR/NAFR	
CAV DATE	
Uploading Date	10.01.2020
Transmission Date	10.01.2020

