

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50973 of 2015

Arising Out of PS. Case No.-76 Year-2014 Thana- MAHILA P.S. District- Muzaffarpur

1. Manoj Sah, Son of Chautu Sah
 2. Raju Sah, Son of Chautu Sah
 3. Chintu Devi, Wife of Chautu Sah
 4. Chautu Sah @ Jaitu Sah, Son of not Known
- All are resident of village - Mahe CHowk, Kamlada Tola, P.S. - Runni Saidpur, District - Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Guddu Devi, Daughter of Late Rajendra Mandal, resident of Balu Ghat, Bandh Kiwar, P.S. - Town, District - Muzaffarpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mani Bhushan Kumar, Adv.

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

6 21-06-2021 Heard Mr. Mani Bhushan Kumar, the learned Advocate for the petitioners and the learned APP for the State.

This is an application seeking quashing of the F.I.R. of Mahila P.S. Case No. 76 of 2014, dated 25.08.2014, instituted for the offences under Sections 498(A), 448, 307, 323 and 34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

This Court had issued notice to opposite party No. 2



on 05.11.2020. Thereafter, again notices were directed to be issued. In the meantime, this Court had also asked for a report from the learned Court below about the stage of the case.

The report has since been received and it appears that a report has been submitted under Section 173 of the Cr.P.C., indicating that there is no positive evidence against the petitioners.

In this view of the matter, there remains no necessity of passing any positive order as it has become infructuous. In case, the report is not accepted or any order adverse to the petitioners is passed, they would have the liberty to agitate against such order in an appropriate forum.

The application is disposed off with the aforesaid observation.

(Ashutosh Kumar, J)

Praveen-II/-

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