

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11544 of 2021**

Arising Out of PS. Case No.-1968 Year-2018 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

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1. Archana Chaudhary Wife Of Bimal Kumar Chaudhay @ Vimal Chaudhary @ Bimal Kumar Choudhary R/o Mohalla- Adampur Charu Chandra Mukharjee Road, P.S.- Adampur, District- Bhagalpur
 2. Rahul Raj S/o Bimal Kumar @ Vimal Chaudhary @ Bimal Kumar Choudhary R/o Mohalla- Adampur Charu Chandra Mukharjee Road, P.S.- Adampur, District- Bhagalpur

... .. Petitioners

Versus

1. The State of Bihar
2. Neha Kumari W/o Rahul Raj, D/o Subodh Kumar Pandey R/o village- Bath, P.S.- Bath, District- Bhagalpur

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha, Adv.
For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 21-04-2022 Learned counsel for the petitioners is directed to remove
all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioners as well as
learned APP for the State.

The present petition has been filed for quashing of the
order dated 27.06.2019 passed by A.C.J.M.-VIIIth, Bhagalpur in
complaint Case No. 1968 of 2018 whereby the cognizance has been
taken against the present petitioners under Section 498 A of the
Indian Penal Code.

Complainant, Neha Kumari, made allegation that her



marriage was solemnized with petitioner No. 2 Rahul Raj in the year, 2017. Customary present were given at the occasion of the marriage. Thereafter, she was subjected to cruelty. The allegation against the petitioner No. 1, who is mother-in-law is that she forcibly took away all the ornaments from her.

Learned counsel for the petitioner has submitted that the complainant did not make any allegation against the mother-in-law in her S.A.

From perusal of the solemn affirmation of the complainant it appears that she has specifically stated that her mother-in-law forcibly took the ornaments from her. She was also demanding a *palang* and ornaments from the victim.

As the complainant has made allegation against the mother-in-law in her complaint as well as supported in her S.A., I do not find it a fit case for quashing the impugned order.

Accordingly, this criminal miscellaneous petition is dismissed.

Office shall ensure that all defects are removed by the petitioners within the stipulated time provided in para 1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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