

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75778 of 2019

Arising Out of PS. Case No.-110 Year-2014 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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1. Manzoor Alam @ Manzoor Alam Ansari Son Of Ash Mohammad Ansari @ Ash Mohammad Resident Of Village - Chhota Bariyarpur Kuiriya Tola Near Pani Danki Sugar Factory, P.S.- Chhautani, Dist.- East Champaran
 2. Sabnam Begam @ Sabnam Khatoon Daughter Of Ash Mohammad Ansari @ Ash Mohammad Resident Of Village - Chhota Bariyarpur Kuiriya Tola Near Pani Danki Sugar Factory, P.S.- Chhautani, Dist.- East Champaran
 3. Kulsum Begam @ Kusum Nesa Wife Of Ash Mohammad Ansari @ Ash Mohammad Resident Of Village - Chhota Bariyarpur Kuiriya Tola Near Pani Danki Sugar Factory, P.S.- Chhautani, Dist.- East Champaran
- Petitioner/s

Versus

1. The State of Bihar
 2. Nahida Pravin Wife of Manzoor Alam @ Manzoor Alam Ansari D/o Rahim Ansari, R/o Hanumangadi Gaurisankar School Road Salam Nagar, P.S.- Motihari Town, Dist.- East Champaran
- Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Dhannjay Kumar No 2
For the Opposite Party/s :	Mr.Uma Shankar Prasad Singh
	Mr. Asif Kalim

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 13-10-2022 Heard learned counsel for the parties.

The present application has been filed for quashing the order dated 30.08.2019 passed in Complaint Case No. C-110 of 2014 arising out of Tr. No. 607 of 2019 whereby and whereunder the learned S.D.J.M., Sadar Motihari, East Champaran has rejected the petition of the petitioners under Section 245 of Cr.P.C. for discharge under Sections 498(A), 379



IPC and Section 4 of the D.P. Act without any evidence in mechanical manner.

Petitioners, who are husband, mother-in-law and sister-in-law of opposite party no.2., are said to have ousted the opposite party no.2 from her matrimonial home in association of his family members over the demand of one lakh rupees, motorcycle and refrigerator from her father.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He submits that the complainant has herself gone matrimonial house and lodged false case. He submits that before the charge, five witnesses have examined but they have contracted each other. He submits that petitioner no. 1 has filed matrimonial case bearing no. 66 of 2014 for divorce in the year 2014 where she has appeared. On her appearance, the matrimonial case has been disposed of. Thereafter, opposite party no. 2 has got married with another person in the year 2015 and she has persuaded this matter only with intention to harass and torture the petitioners.

Considering the facts and circumstances of the case, the order dated 30.08.2019 passed by the learned S.D.J.M., Sadar Motihari, East Champaran in Complaint Case No. C-110



of 2014 arising out of Tr. No. 607 of 2019 is hereby quashed
and this application is allowed.

(Anjani Kumar Sharan, J)

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