

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.275 of 2022

Arising Out of PS. Case No.-195 Year-2016 Thana- MOHIUDDIN NAGAR District-
Samastipur

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KANCHAN KUMARI W/O- DR. SHEKHAR KAPOOR R/O VILLAGE-
GADPURA, P.S.- GADPURA, DISTRICT- BEGUSARAI, AT PRESENT
RESIDES AT D/O- PARMANAND SAH, VILLAGE- MOHIUDDIN
NAGAR, P.S.- MOHIUDDIN NAGAR, DISTRICT- SAMASTIPUR

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR THROUGH THE PRINCIPAL SECRETARY,
HOME DEPARTMENT, GOVT. OF BIHAR, PATNA BIHAR
2. THE DIRECTOR GENERAL OF POLICE, BIHAR, PATNA BIHAR
3. THE SENIOR SUPERINTENDENT OF POLICE, SAMASTIPUR BIHAR
4. THE STATION HEAD OFFICER, MOHIUDDIN NAGAR POLICE
STATION, SAMASTIPUR BIHAR

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Respondent/s : Dr. Mankeshwar Tiwari, AC to AAG-3

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 05-09-2023 1. The petitioner has filed a complaint case before Sub-
Divisional Judicial Magistrate, Samastipur, bearing
Complaint Case No. 821 of 2016, against her husband
and his family members. According to the petitioner, the
said complaint case was compromised and the petitioner
was taken to her matrimonial home. Subsequently,
thereafter, she was tortured by her husband and his family
members for want of dowry, for which, another First
Information Report, bearing Mohiuddin Nagar Police
Station Case No. 195 of 2016 was registered on
17.10.2016.



2. Learned counsel for the petitioner submits that the police has not taken any steps for arrest of the accused persons, including the husband of the petitioner, and has merely filed a chargesheet against the accused persons and no steps are being taken on the chargesheet filed by the police.
3. Learned counsel for the State submits that chargesheet has been submitted in which the accused persons have been shown as absconders.
4. I have heard learned counsel for the parties and have gone through the materials available on record.
5. On perusal of the record, it is evident that the petitioner, being the wife, has filed First Information Report against her husband and his family members under Section 498(A) and other sections including Sections 3 and 4 of the Dowry Prohibition Act. The chargesheet has been submitted by the police against the husband of the petitioner and three other accused persons, bearing Chargesheet No. 03 of 2018, dated 22.01.2018.
6. The petitioner is not in a position to inform this Court regarding the steps taken in the case after submission of the chargesheet by learned Sub Divisional Judicial



Magistrate, Samastipur.

7. The petitioner has prayed for direction to the police authority to take action against the accused persons in accordance with law pursuant to the First Information Report and chargesheet submitted by the police.
8. Since the police has concluded the investigation and has already filed chargesheet against the accused persons, showing them as absconders and, now, the matter is pending before the concerned District Court for taking cognizance and holding trial, I do not find any reason to issue further direction to the police at this stage.
9. This application is, accordingly, dismissed.
10. It goes without saying that the concerned District Court, who is in seisin of the case, shall proceed with the matter in accordance with law.

(Anil Kumar Sinha, J)

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