

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18301 of 2023

Arising Out of PS. Case No.-61 Year-2022 Thana- SHASTRINAGAR District- Patna

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1. FIROZA @ FARHAT JAHAN D/O- MOHAMMAD AZHAR IMAM @ SONA KHAN Resident of Opp- Purani Masjid Raja Bazar B.V College Ps- Shastri Nagar Dist- Patna
 2. Shahjahan Khatoon Wife of Mohammad Azhar Imam @ Sona Khan Resident of Opp- Purani Masjid Raja Bazar B.V College Ps- Shastri Nagar Dist- Patna

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Aabigana D/o- Late Md. Muslim Khan Resident of Kunkun Singh Lane Ps... Dist Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ansul

For the Opposite Party/s : Mr. Ram Bilash Roy Raman

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 22-03-2023 Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State.

This application is filed for quashing the F.I.R. bearing Shastrinagar P.S. Case No. 61 of 2022 instituted for the offence under Sections 341, 342, 323, 354, 354-1, 504, 506/34 of the Indian Penal Code. Later Section 376 and 493 of the Indian Penal Code has been added vide order dated 07.12.2022.

The accused (Danish) and the girl were friends. After sometime, the accused established physical relation with her on the pretext of marriage. But when she asked to solemnize the



marriage, the accused denied. After sometime, the accused along with his three friends kidnapped her and along with petitioner No. 1 and 2 i.e. mother and sister of accused assaulted, abused her, torn her clothes and also made nude video of her.

From reading of the F.I.R., it appears that prima facie case is made out against the petitioners. Therefore, the F.I.R. cannot be quashed.

Considering the aforesaid facts and also the law laid down by the Hon'ble Supreme Court in the case of *M/S Neeharika Infrastructure Pvt. Ltd, Vs. State of Maharashtra and others reported in (2020) 10 SCC 118*, this application is dismissed.

(Sandeep Kumar, J)

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