

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20185 of 2023

Arising Out of PS. Case No.-217 Year-2022 Thana- DARBHANGA SADAR District-
Darbhanga

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1. HARI SHANKAR MISHRA, S/O- LATE BHUBNESHWAR MISHRA,
Village- Dhoi Ghat PS- Sadar Dist- Darbhanga
 2. Mandodari Devi @ Vidhottma Mishra, wife of Hari Shankar Mishra,
Village- Dhoi Ghat PS- Sadar Dist- Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar
2. Dolly Kumari, wife of Rishi Kant, Mishra Village- Dhoi Ghat, PS- Sadar
Dist- Darbhanga at present- Village- Lokahi Atari PS- Lokahi Dist-
Madhubani

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Mishra, Advocate
For the Opposite Party/s : Dr. Indihar Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

2 16-10-2023 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The present application under Section 482 of the
CrPC has been filed seeking quashing of an order taking
cognizance for commission of the offences punishable under
Sections 341, 342, 324, 326, 307, 498A, 504, 506 read with
Section 34 of the IPC and Section 3/4 of the Dowry Prohibition
Act. The petitioners are father-in-law and mother-in-law of the
informant.

3. Learned counsel appearing on behalf of the

petitioners has submitted that the petitioners have been implicated merely because they are parents of the husband of the Opposite Party No. 2, the informant. He has submitted that there is no specific allegation against these petitioners of demand of dowry and torture therefor.

4. Be that as it may, I am not inclined to interfere with the order taking cognizance in the absence of the plea that there was absolutely no material before the trial court based on which cognizance of the offences could have been taken.

5. Learned counsel for the petitioners after some argument, however, seeks permission to withdraw this application with a liberty to take the plea, which has been taken in the present application, at appropriate stage before the court below.

6. This application is accordingly dismissed as withdrawn with the liberty as sought.

(Chakradhari Sharan Singh, J)

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