

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13129 of 2018

Arising Out of PS. Case No.-1874 Year-2008 Thana- SIWAN COMPLAINT CASE District-
Siwan

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Jai Ram Mallah son of Late Jagannath Mallah, Resident of Village-
Kandhawara, P.S. Siwan Muffasil, District- Siwan.

... .. Petitioner/s

Versus

1. State Of Bihar and Anr
2. Parwati Devi, Wife of Ramjeet Mallah, Resident of Village- Kandhawara,
P.S. Siwan Muffasil, District- Siwan. At present Daughter of Late Raj
Banshi Mallah Resident of Village- Dharmapur, P.O. Sirkalpur, P.S. Guthani,
District- Siwan.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : None.

For the Opposite Party/s : Mr.Jitendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 19-01-2023 Heard learned counsel for the State.

This case was taken up at 10.30 A.M., when no one
appeared. Once again, at 12.00 P.M. on call, no one appeared for
the petitioner.

The petitioner has moved before this Court under
Section 482 of the Code of Criminal Procedure for quashing of
the further proceeding of order dated 5.1.2009 in complaint case
bearing No. 1874 of 2008 (Tr. No. 774 of 2017) in which
cognizance has been taken under Sections 498A, 406 of the
Indian penal Code and Section 4 of Dowry Prohibition Act.

As per the complaint, the marriage was solemnized in



the year 2001 with Ramjeet Mallah for which dowry was also given but later she was being regularly tortured and in the process assaulted. In between, she was blessed with a female child whereafter, he continued torturing her and later in 2008, she was ousted from the home. Accordingly, the FIR was lodged.

Learned court having gone through the complaint case took cognizance under order dated 5.1.2009 which has been challenged in the present case.

This Court has gone through the allegation that has come in the complaint and does not find it a fit case for quashing of the order taking cognizance on 5.1.2009 which is accordingly rejected.

(Rajiv Roy, J)

Prakash Narayan
/Ajay Singh/-

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