

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63427 of 2017

Arising Out of PS. Case No.-271 Year-2014 Thana- MAJORGANJ District- Sitamarhi

Meenu Kumari @ Menu Kumari, daughter of Raj Kumar Singh, W/o Krishna Murari, resident of Village- Barharwa, P.S.- Mejarganj, District- Sitamarhi.

... .. Petitioner

Versus

1. State Of Bihar
2. Hema Jha, Daughter of Samrendra Kumar Jha, R/o Village- Dhadhi, P.S.- Nanpur, District- Sitamarhi.

... .. Opposite Parties

Appearance :

For the Petitioner : Mr. Ashok Kumar Jha, Advocate
For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 21-08-2023 The petitioner is challenging the order dated 14.11.2017 passed by learned A.C.J.M.-I, Sitamarhi, in G.R. Case No.2715 of 2014 (Tr. No.446 of 2017), arising out of Majorganj P.S Case No.271 of 2014, by which the learned Magistrate has rejected the discharge petition filed by the petitioner.

2. As per the prosecution case, the marriage of opposite party no.2 was solemnized with Krishna Murari Jha in the year 2007. After the marriage, the in-laws of the opposite party no.2 started torturing her for demand of dowry. On account of non-fulfillment of demand of dowry, the in-laws of opposite party no.2 harassed her in different ways in order to



oust her from the matrimonial home. It is alleged that in the year 2013, the husband of opposite party no.2 performed second marriage with Meenu Kumari (petitioner) in a temple. It is also alleged that in past the petitioner and the husband of opposite party no.2 had worked together in the same school and the petitioner was fully aware of the fact that Krishna Murari is a married man she performed marriage with him. Thereafter, all the accused persons including the petitioner started torturing the opposite party no.2 physically and mentally.

3. Learned counsel for the petitioner submits that the marriage of opposite party no.2 was solemnized with Krishna Murari Jha in the year 2007 and even after six years of marriage, no child was born out of their wedlock and with consent of the opposite party no.2 her husband performed second marriage with the petitioner in the year 2013. He further submits that after the marriage the petitioner never visited the matrimonial house rather she stayed at her place of posting where she was working as Assistant Teacher in the Government school.

4. Considered the submissions of the parties and also perused the materials on record.

5. The petitioner is the second wife of accused



Krishna Murari Jha. Allegation against the petitioner is to harass the opposite party no.2, who is the first wife of accused-Krishna Murari Jha, for demand of dowry. The trial court has found strong *prima facie* case against the petitioner, which is sufficient for trial of the petitioner. Hence, I do not find any infirmity and illegality in the impugned order.

6. In view of the above, this application is dismissed. The trial court is directed to expedite the trial and conclude the same within six months from the date of receipt/production of a copy of this order.

(Sandeep Kumar, J)

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