

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32585 of 2015**

Arising Out of PS. Case No.-1747 Year-2014 Thana- VAISALI COMPLAINT CASE
District- Vaishali

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1. Lorik Rai and Anr son of late Binda Rai
 2. Jagpati Devi wife of Lorik Rai Both residents of village Tarma Magarpal,
P.S.- Dariapur, District- Saran Chapra

... .. Petitioner/s

Versus

1. State Of Bihar and Anr
2. Meera Kumari wife of Guddu Kumar Resident of village Tarma Magarpal,
P.S. Dariapur District- Saran Chapra, presently residing at village Samachak
P.S. Hajipur Sadar District Vaishali Hajipur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar
For the Opposite Party/s : Mr.Rina Sinha App

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 23-02-2023 Heard learned counsel for the petitioners, learned
APP for the State.

The present application has been filed for quashing of the order dated 10.01.2015 passed by learned Sub Divisional Judicial Magistrate, Hajipur in Compliant Case No. C1 1747 of 2014 (Tr. No. 4989 of 2014) by which the learned Magistrate has taken cognizance against the petitioners for the offence under Section 498-A of the Indian Penal Code.

The prosecution case is that the complainant (opposite party no.2) was married to co-accused Guddu Kumar Rai in the year 2010. Out of their wedlock, a child was born. It



is alleged that the accused persons demanded Rs.1,00,000 and TV, refrigerator and washing machine as dowry from the complainant and on refusal, she was tortured and ousted from her matrimonial house.

Learned counsel for the State has opposed this application.

Having considered the submissions of the parties and on perusal of the record, it appears that petitioner no.1 and 2 are father-in-law and mother-in-law of the complainant. It also appears that general and omnibus allegations are levelled against these petitioners.

Considering the aforesaid facts as also considering the law laid down by the Apex Court in the case of ***Kahkashan Kausar @ Sonam vs. State of Bihar*** reported in ***2022 SCC OnLine SC 162***, this quashing petition is allowed.

Accordingly, the order of cognizance dated 10.01.2015 passed by learned Sub Divisional Judicial Magistrate, Hajipur in Compliant Case No. C1 1747 of 2014 (Tr. No. 4989 of 2014), is hereby quashed.

(Sandeep Kumar, J)

Guddu/-

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