

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32793 of 2015

Arising Out of PS. Case No.-14 Year-2015 Thana- MAHILA P.S. District- Bhojpur

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1. Madhuri Devi and Ors. W/o Sri Ajay Kumar @ Ajay Singh
 2. Ajay Kumar @ Ajay Singh S/o Late Ragho Singh
 3. Praveen Kumar S/o Sri Ajay Kumar @ Ajay Singh All Resident of Village Krishnapur Mianbigha, P.S. Hilsa, District Nalanda, Presently residing at Deepsikha Road, P.S. Town Begusarai, District Begusarai.

... .. Petitioner/s

Versus

1. State Of Bihar and Anr
2. Ful Kumari Barkha Singh @ Chinta W/o Sri Prabhat Kumar Singh, D/o Sri Satyendra Singh Presently residing at Village Baligaon, P.S. Ayar, District Bhojpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Singh
For the Opposite Party/s : Mr.Pramod Kumar Pandey App

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

5 20-02-2023 Heard learned counsel for the petitioners, learned
APP for the State.

The present application has been filed for quashing of the order dated 22.04.2015 passed by learned Sub Divisional Judicial Magistrate, Arah in Tr. No. 6071 of 2015 in connection with Mahila P.S. Case No. 14 of 2015, by which the learned Magistrate has taken cognizance against the petitioners for the offence under Section 498 "A", 323 and 34 of the Indian Penal



Code.

The prosecution case is that the complainant (opposite party no.2) was married to co-accused Prabhat Kumar Singh in the year 2014. It is alleged that the petitioners demanded Rs.5,00,000 and Pulser Motorcycle 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 is the mother-in-law of the petitioner, petitioner no.2 is the father-in-law and petitioner no. 3 is the Devar of the informant and 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 22.04.2015 passed by learned Sub Divisional Judicial Magistrate, Arah in Tr. No. 6071 of 2015 in connection with



Mahila P.S. Case No. 14 of 2015,, is hereby quashed.

(Sandeep Kumar, J)

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