

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56393 of 2021

Arising Out of PS. Case No.-277 Year-2020 Thana- BRAHMPURA District- Muzaffarpur

1. MUKESH KUMAR Son of Suresh Chandra Prasad Resident of near Bharat Mata Chowk, Gate No. 06, Idgah Road, Jamalpur, P.S.- Jamalpur, District- Munger, Office Address- Andhra Bank Staff Chandigarh, Punjab, Bank Address- S.C.O. 202-203-204 Bridge Market 17C Sector, Chandigarh, Punjab.
2. Sweta Sah @ Sweta Wife of Mukesh Kumar Permanent Address- C/o- Suresh Prasad Sah, Near Bharat Mata Chowk, Gate No. 06 Idgah Road, Jamalpur, P.S.- Jamalpur, District- Munger.
3. Anmol Devi Wife of Late Om Prakash Sah Permanent Address- Refugee Colony, Sahebganj, Jharkhand, P.S. and District- Sahebganj.
4. Suruchi Kumari @ Suruchi Sah Wife of Anurag Sah Resident of Refugee Colony, Sahebganj, Jharkhand, P.S. and District- Sahebganj.
5. Anurag @ Anurag Sah Son of Late Om Prakash Sah Resident of Refugee Colony, Sahebganj, Jharkhand, P.S. and District- Sahebganj.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Neha Kumari D/o- Chandra Shekhar Sah Resident of Mohalla- Daudpur Kothi, P.O.- Brahmpur, P.S.- Brahmpura, District- Muzaffarpur, Permanent Address- Village and P.O.- Jagdishpur, P.S.- Jagdishpur, District- Bhagalpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Munish Kumar, Adv.
For the Opposite Party/s : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 26-09-2023 1. Heard learned counsel for the petitioners and learned APP for the State.

2. The learned counsel for the petitioners submits that the opposite party no.2 was married to Bittu Sah @ Sah Bittu and the opposite party no.2 compromised the matrimonial dispute with her husband i.e. Bittu Sah and the petitioner no.1 (Nandoshi), petitioner no.2 (Nanad), petitioner no.3 (mother-in-law), petitioner no.4 (sister-in-law) and petitioner no.5 (brother-in-law) are related to the opposite party no.2, being relative of her husband. It is next



submitted that the husband of the opposite party no.2 had filed Cr. Misc. No. 15153/2022 (Bittu Sah @ Sah Bittu Vs. State of Bihar & Anr.), in which on behalf of the present opposite party no.2, learned Advocate Mr. Manish Kumar No.II had appeared in Cr. Misc. No.15153/2022 and based on the submission made by the learned counsel for the opposite party no.2 in Cr. Misc. No.15153/2022, the quashing application was allowed and the entire F.I.R. arising out of Brahampura P.S. Case No. 277/2020 including the entire proceedings was quashed.

3. It is next submitted that in this case, notices have not been issued but then the case of Bittu Sah @ Sah Bittu has been quashed and the case of the petitioners are on a better footing and since the matrimonial dispute stands resolved in between the opposite party no.2 and Bittu Sah @ Sah Bittu, as such the continuation of the present F.I.R. against the petitioners will be an abuse of process of the court.

4. Considering the submissions made by the learned counsel for the petitioners, the Brahampura P.S. Case No. 277/2020, registered under Sections 498(A) of the Indian Penal Code including the entire proceedings stands quashed.

(Satyavrat Verma, J)

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