

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.1116 of 2022

Arising Out of PS. Case No.-132 Year-2021 Thana- MAHILA P.S. District- Patna

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AMIT KUMAR @ KUMAR AMIT S/o Narendra Singh R/o village-
Gulmahiya Bagh, Jethuli, P.S.- Didraganj, District- Patna ... Petitioner
Versus

1. THE STATE OF BIHAR THROUGH THE INSPECTOR GENERAL OF
POLICE, BIHAR, PATNA
2. The Duputy Inspector General of Police, Bihar, Patna
3. The Superintendent of Police, Patna
4. The Deputy Superintendent of Police, Patna
5. The Officer-in-Charge, Patna Mahila Police Station, District Patna
6. Purva D/o Sri Shiv Shankar Prasad Resident of Saristabad, Vikashpuri, P.S.-
Gardanibagh, District- Patna
7. The Senior Superintendent of Police, Patna ... Respondents

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Appearance :

For the Petitioner : Mrs. Y. Madhavi, Adv.
For the Respondents : Mr.Saroj Kumar Sharma, AC to AAG III

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 04-05-2023 Counsel for the petitioner is directed to implead the

Senior Superintendent of Police, Patna, as party respondent to
this application.

Counsel for the petitioner is directed to remove the
defect(s) within two weeks.

Counsel for the petitioner and State are present.

Heard learned counsel for the petitioner and the State.

The petitioner has filed this application for quashing
of the first information report bearing Patna Mahila P.S. Case
No. 132 of 2021, dated 13.11.2021, registered under Sections
323, 342, 354, 498A and 34 of the Indian Penal Code and 3 and
4 of the Dowry Prohibition Act.

Counsel for the petitioner submits that the petitioner is
devar (brother-in-law) of respondent no. 6. She submits that at



the time of marriage the petitioner was not present in India and studying in Ukrain. She also submits that there is absolutely no specific allegation made against the petitioner save and except in the fardebeyan petitioner's name has been inserted as devar.

Counsel for the State submits that the petitioner may be directed to represent before the Senior Superintendent of Police, Patna (respondent no. 7) in the light of the order passed by the coordinate Bench in Cr.W.J.C. No. 153 of 2017 (Surendra Singh Vrs. State of Bihar & Ors.) and analogous cases decided on 09.09.2022 with all documents showing his innocence within four weeks from today and the Senior Superintendent of Police shall take decision upon going through the documents that whether the petitioner is involved in this crime or not and accordingly submit the report under Section 173(2) of the Criminal Procedure Code, 1973.

With this observation, this criminal writ petition is **disposed off.**

(Dr. Anshuman, J)

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