

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.36737 of 2015**

Arising Out of PS. Case No.-346 Year-2012 Thana- MAHUA District- Vaishali

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1. Sunil Thakur Son of Rajendra Thakur
  2. Indu Devi Wife of Sunil Thakur
  3. Pramila Devi Wife Rajendra Thakur
  4. Anil Thakur Son of Rajendra Thakur
  5. Rajendra Thakur Son of Late Chulahi Thakur
  6. Arbind Thakur Son of Rajendra Thakur All are resident of village -  
Madhopur Taria, Police Station - Mahua, District - Vaishali

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. Ram Sanahi Sharma Son of Late Ram Lagan Sharma resident of village -  
Ramkrishnapur, Post - Karpuri Gram, Police Station - Mufasil Samastipur,  
District - Samastipur

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Anil Kumar  
For the Opposite Party/s : Mr. Dr.Ajit Kumar, app

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**CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR**  
**ORAL ORDER**

2      13-03-2023                      Heard learned counsel for the parties.

This application is filed for quashing the order dated 26.03.2015 passed in Sessions Trial No. 400 of 2013 along with Sessions Trial No. 252 of 2014, arising out of Mahua P.S. Case No. 346/2012 whereby and whereunder charge has been framed under Section 302, 304(B), 201/34 of the Indian Penal Code has been challenged.

As per prosecution case, informant has married his daughter Baby Kumari with Anil Thakur (petitioner no. 4) in the



year 2005 and at the time of marriage the informant has given household articles of 2 lakhs and cash one lakh. It is alleged that on 13.08.2012 in the morning his son in law Deonath Thakur informed him that his daughter has died. After investigation, police has submitted charge sheet against the petitioners. After submission of charge sheet learned Magistrate has taken cognizance against these petitioners.

In view of the law laid down by the Supreme Court in the case of *State of Bihar Vs. Ramesh Singh, 1977, SCC (4) 39 and State of Karnataka (through the Deputy Superintendent of Police) 2022 (4) PLJR 4 SC* vs. *R. Soundirarasu*, if there is strong *prima facie* case charge can be framed.

In view of the above, this application is dismissed.

**(Sandeep Kumar, J)**

Ranjeet/-

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