

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7655 of 2023

Arising Out of PS. Case No.-706 Year-2020 Thana- PATNA COMPLAINT CASE District-
Patna

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Indrajeet Kumar @ Indrajeet Kumar Singh Son of Shree Parmanand Singh
Resident of Village- Lohiyanagar Anandpur, P.S.- Town (Lohiyanagar O.P),
District- Begusarai

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pushpa Wife of Indrajeet Kumar, D/O Late Triman Narayan Tiwari Resident
of Village- East Indra Nagar Road No.-04, Harishchandra Apartment, P.S.-
Patrakar Nagar, District- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Braj Bhushan Poddar
For the Opposite Party/s : Mr.Ram Sumiran Rai

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 04-03-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. This application has been filed for quashing the
order of cognizance dated 07.06.2022 passed by learned J.M. 1st
Class, Patna in Complaint Case No. 706C/2020.

3. The case of the complainant, in brief, is that the
marriage of complainant was solemnised with this petitioner in
the year 2016 and since then, both were leading happy conjugal
life. From the wedlock, a male child was born on 02.08.2018.
But, thereafter, the petitioner started demanding Rs. five lacs
and one motorcycle, as dowry. To this effect, the complainant



lodged an F.I.R., vide Begusarai Mahila P.S. Case No. 02/2018, but after compromise between them, the petitioner took away the complainant to her matrimonial house. But again, the complainant was abused and assaulted by this petitioner, then she lodged a domestic violence case, vide Case No. 32//2019, against petitioner and when petitioner came to know about filing of this case, he came to her house and abused & assaulted her and also threatened her and due to this fact, in the year 2020, the complainant has lodged present complaint case.

4. It is submitted on behalf of petitioner that the prosecution case in the complaint petition is totally false and the learned Court below has taken cognizance without application of judicial mind. It is further submitted that complainant is in habit of filing cases against petitioner. Prior to the present complaint petition, she had filed Begusarai Mahila P.S. Case No. 02/2018 and Domestic Violence Case No. 32/2019, which was compromised and thereafter, this false and concocted case has been filed in the district of Patna.

5. Learned A.P.P. for the State vehemently opposes the prayer for quashing the order of cognizance and submits that there are sufficient materials to take cognizance against this petitioner. It is the case of the complainant that this petitioner,



after the compromise in the earlier case, again abused and assaulted the complainant for dowry and as such, Hon’ble Court may refrain from interfering the order impugned.

6. Having heard the submissions made on behalf of the parties and materials available on record, this Court is of the opinion that there is no illegality or perversity in the order taking cognizance. Accordingly, this application stands dismissed.

(Prabhat Kumar Singh, J)

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