

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.20940 of 2024

Arising Out of PS. Case No.-93 Year-2022 Thana- MAHILA P.S District- West Champaran

1. Sharda Devi WIFE OF Krishna Kumar Singh Village- Pipra Tribhawni PS- Bhairoganj Dist -West Champaran
2. KRISHANA KUMAR SINGH NA Village- Pipra Tribhawni PS- Bhairoganj Dist -West Champaran
3. CHANDAN KUMAR SINGH @ CHANDAN SINGH SON OF KRISHNA KUMAR SINGH Village- Pipra Tribhawni PS- Bhairoganj Dist -West Champaran
4. KUNDAN KUMAR SINGH SON OF KRISHNA KUMAR SINGH Village- Pipra Tribhawni PS- Bhairoganj Dist -West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. SHIWANGI KUMAR WIFE OF CHANDAN KUMAR SINGH @ CHANDAN SINGH Village- Pipra Tribhawni PS- Bhairoganj Dist -West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anand Kishore Choudhary

For the Opposite Party/s : Mr. Madhura Nand Jha

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR

ORAL ORDER

2 19-08-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing on behalf of the State.

2. The present application has been filed for quashing the order dated 30.10.2023 passed by the learned S.D.J.M., Bagaha, West Champaran in connection with Mahila P.S. Case No. 93 of 2022 for the offence punishable under Sections 341/323/354/498(A)/324/504/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

3. The prosecution story in short is that the opposite party No. 2 gave a written complaint to the Officer In-charge, Mahila Police Station, Bagaha, West Champaran stating therein



that she was married to Chandan Singh in the year 2019 and her father had given Rupees Ten Lakhs cash, ornaments, furniture worth Rupees Thirteen Lakhs and gifts as dowry at the time of marriage. After marriage, a female child was born. After the birth of female child, all the accused persons started to make demand of Rupees Five Lakhs. She was forced to leave the house. It is further alleged that she was also aborted due to assault by the accused persons. It was further alleged that mother-in-law, *Bhaisur*, cousin *Devar* tried to set her on fire after pouring kerosene oil. Somehow, she managed to escape and went to the hospital for treatment.

4. Considering the serious allegations against the petitioners, I am not inclined to quash the proceedings of the petitioners who are said to have tortured the opposite party No. 2 for demand of dowry.

5. In view of the above, this application is dismissed with liberty to the petitioners to raise all the grounds at the stage of framing of charge.

(Sandeep Kumar, J)

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