

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52969 of 2016

Arising Out of PS. Case No.-301 Year-2016 Thana- PATNA COMPLAINT CASE District-
Patna

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1. JAGDISH PRASAD YADAV @ JAGDISH PRASAD Son of Late Ram Bhajan Yadav
 2. Arun Kumar Yadav Son of Jagdish Prasad Yadav @ Jagdish Prasad Both Resident of Panposh, Rourkela, P.S. Post-Ragunath Pali, District-Sundargarh Odisha

... .. Petitioner/s

Versus

1. The State of Bihar
2. Geeta Kumari D/o Madheshwar Prasad Resident of Village-Akauna, P.S.- Bhagwanganj, District-Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Mritunjay Narain
For the Opposite Party/s : Mr.Sri Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

2 09-04-2024 Heard learned counsel for the petitioners and learned counsel appearing for the State.

2. This application has been filed for quashing of the order dated 05-09-2016 passed by Sri H. Ram, Judicial Magistrate, Masaurhi (Patna) in Complaint Case No. 301© of 2016 whereby and whereunder learned Magistrate has taken cognizance against the petitioners for the offence punishable under Sections-323, 498(A) and 504 of the IPC.

3. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in the present



case. There is allegation against the petitioners of committing atrocities upon the victim due to non-fulfillment of demand of dowry. Learned counsel has further submitted that petitioner Nos. 1 & 2 are father-in-law and brother-in-law (Devar) of the victim respectively and they have no concern with day-to-day affairs of the couple. There is general and omnibus allegation against the petitioners. The learned court below without applying his mind judiciously, issued summons against the petitioners.

4. Since the order of issuance of summons was passed way back in the year, 2016 and as such, this Cr. Misc. is disposed of with observation that the petitioners may raise their points at appropriate stage.

(Nawneet Kumar Pandey, J)

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