

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38596 of 2021

Arising Out of PS. Case No.-5 Year-2019 Thana- MAHILA THANA District- Begusarai

Manoj Kumar Paswan S/O Late Ram Naresh Paswan R/o village- Baghi,
Shanti Sah Chowk, Nagdah Road, P.S.- Nagar (Lohiyanagar O.P.), District-
Begusarai

... .. Petitioner/s

Versus

1. The State of Bihar
2. Aradhana Kumari D/O Ram Bilash Paswan R/o village- Harakh Churai Tol,
Subash Chowk, P.S.- Town, District- Begusarai

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 09-08-2024 Heard Mr. Ashok Kumar Mishra, learned counsel

appearing on behalf of the petitioner and the learned Additional

Public Prosecutor for the State.

2. The petitioner is seeking quashing of the First
Information Report of Mahila P.S. Case No. 05 of 2019
registered on 16.04.2019 for the offences punishable under
Sections 323, 341, 498 (A) and 313 of the Indian Penal Code
and Section 3/4 of the Dowry Prohibition Act.

3. Learned Advocate for the petitioner contended that
the allegations levelled in the FIR, even if taken to be true, do
not constitute any offence much less against the petitioner and,
as such, the very institution of the FIR as well as the



continuance of the proceeding arising out of the FIR is bad in law. Learned Advocate for the petitioner also contended that after institution of the FIR, the husband of the O.P. No. 2 has died in an accident.

4. Be that as it may, considering the allegation levelled in the FIR, which *prima facie* in the opinion of this Court makes out a cognizable offence, this Court is not persuaded to quash the FIR. All the more the FIR was instituted on 16.04.2019; and now much water has flown under the bridge. In any view of the matter this Court does not find any merit in the quashing application and the same stands dismissed.

(Harish Kumar, J)

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