

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54930 of 2017

Arising Out of PS. Case No.-776 Year-2014 Thana- PHULWARISHARIF District- Patna

Yunus Wahab @ Yunus Abdul Bahab

... .. Petitioner/s

Versus

State Of Bihar and Anr

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surendra Kumar Singh
Mr/s. Sudha Chandra

For the Opposite Party/s : Mr. Chandra Bhushan Prasad- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 08-01-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner is the husband of the opposite party
no.2. There is specific allegation of torture and demand of
dowry. No doubt, notices were issued on the opposite party
no.2 and the opposite party no.2 also received the notice, but
still, she chooses not to appear and contest.

3. The learned Additional P. P. submits that the fact
that the opposite party no.2 after receiving notice, chooses not
to appear that amply demonstrates that how badly the opposite
party no.2 was tortured in name of dowry. The learned
Additional P. P. further submits that it has been submitted on
behalf of learned counsel for the petitioner that even the
children are staying with the opposite party no.2, who is



working in United Arab Emirates, but then, the notice was received by the opposite party no.2 in India as would manifest from the office report dated 05.01.2024. It is next submitted that petitioner, being the husband is alleged to have tortured the opposite party no.2 for dowry and is not taking care of the children, who are residing with the opposite party no.2. It is further submitted that the petitioner can raise all issues at the time of framing of charge and the learned trial Court would be in a better position to deal with the discharge application of the petitioner.

4. Considering the submission made by the learned Additional P. P., the Court is not inclined to entertain the quashing application.

5. The quashing application is rejected accordingly, however, with liberty to the petitioner to raise all issues at the time of framing of charge.

(Satyavrat Verma, J)

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