

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67342 of 2023

Arising Out of PS. Case No.-12 Year-2023 Thana- MAHILA P.S. District- Madhubani

MANISH KUMAR @ MANISH KUMAR YADAV son of Ramsudishta
Yadav Village- Mahtha Sagar Bhoara W.No-26/41, Ps Dist- Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar
2. Priyanka Rai D/o- Late Raja Yadav Village- Alampur Ps- Didarganj Dist- Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rupesh Kumar
For the Opposite Party/s : Mr. Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 24-09-2024 Heard the parties.

2. The present application has been filed for quashing of the F.I.R. of Mahila P.S. Case No. 12 of 2023, dated 19.04.2023, registered u/ss 341, 323, 313, 498(A), 504, 506, 420, 34 of the Indian Penal Code.

3. As per prosecution case, the petitioner is alleged to have established physical relationship with the informant on the pretext of marriage and also captured her private photographs. It is further alleged that on 24.11.2022, petitioner and other co-accused persons have demanded Rs. 25,00,000/- as dowry and due to non-fulfillment of demand of dowry, she was assaulted by the accused persons.

4. Learned counsel for the petitioner has submitted that the F.I.R. should be quashed considering the defence of the



petitioner. He has argued that the petitioner denies the marriage and submits that he is working in Hyderabad and number of proceedings are going on between the parties.

5. Learned counsel for the informant and learned APP for the State have vehemently opposed the application for quashing. They have submitted that the F.I.R. cannot be quashed at this stage by considering the defence of the petitioner when from reading of the F.I.R., offences are made out.

6. I have considered the submissions of the parties. From reading of the F.I.R., offences are made out against the petitioner and I am of the view that the same cannot be quashed in view of the law laid down by hon'ble supreme court in the case of *m/s neeharika infrastructure pvt. Ltd. vs. State of Maharashtra and others SCC Online SC 315*, this application is dismissed.

(Sandeep Kumar, J)

Ranjeet/-

U		T	
---	--	---	--

