

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82264 of 2023**

Arising Out of PS. Case No.-344 Year-2023 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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1. Raj Kishore Singh Son Of Late Awadh Singh Resident Of Village - Pagda, P.S. - Dalsinghsarai, District - Samastipur
 2. Prabha Devi Wife Of Raj Kishore Singh Resident Of Village - Pagda, P.S. - Dalsinghsarai, District - Samastipur

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Abhinandan Singh Son Of Late Kapildev Singh Resident Of Village - Iniyar, Ward No.11, P.S. - Mufasil, District - Begusarai. Presently Residing At Chanakya Nagar, Ward No.39, P.S. - Nagar, District - Begusarai

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ujjwal Kumar
For the Opposite Party/s	:	Mr.Raj Ballabh Singh
For the O.P. No. 02	:	Mr. Saroj Kr. Sharma
		Mr. Anupam Bahadur
		Mr. Vikash Kumar

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 08-10-2024 Heard the parties.

2. This application has been filed on behalf of the petitioners for quashing the order dated 02.08.2023 passed by the learned Judicial Magistrate, First Class, Begusarai in connection with Complaint Case No. 344 of 2023.

3. As per the prosecution case, the allegation against the petitioners and other accused persons is that they have tortured the daughter of the informant for demand of dowry.

4. Learned counsel for the petitioner has submitted that there is general and omnibus allegation against the petitioners. He also submits that a number of litigations are pending between the parties and therefore it is a good ground



for quashing and the present cognizance order may be quashed.

5. Learned counsel for the opposite party no. 02 and learned APP for the State have opposed the application of the petitioners.

6. Learned counsel for the opposite party no. 02 submits that there are specific allegations against the petitioners who are non other than mother-in-law and father-in-law of the victim and at this stage the present prosecution may not be quashed.

7. I have heard and considered the submission of the parties.

8. From the reading of the complaint petition, offences are made out against the petitioners and the defence materials of the petitioners cannot be seen by this Court at the stage of cognizance or at the stage of discharge in view of the law laid down by the Hon'ble Supreme Court in the case of ***Ram Prakash Chadha Vs. The State of Uttar Pradesh*** reported in ***2024 SCC OnLine SC 1709***.

9. Accordingly, this application is dismissed.

(Sandeep Kumar, J)

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