

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58283 of 2021

Arising Out of PS. Case No.-41 Year-2019 Thana- MAHILA P.S. District- Muzaffarpur

1. DEVLAL RAY @ DEVLAL RAI S/O- Late Fakira Ray Resident of Village and P.O. - Parmanandpur, P.S. - Ladaura, Dist. - Muzaffarpur, Pin Code - 843113.
2. SHEELA DEVI @ PREM SHEELA DEVI W/o- Devlal Ray @ Devlaal Rai Resident of Village and P.O. - Parmanandpur, P.S. - Ladaura, Dist. - Muzaffarpur, Pin Code - 843113.

... .. Petitioners

Versus

1. The State of Bihar
2. Nitika Rai W/O- Subodh Kumar, D/o- Uday Shankar Rai Presently residing at R/O- Village and P.O. - Marwan, P.S. - Sakra, Dist. - Muzaffarpur - 843119, Bihar.

... .. Opposite Parties

Appearance :

For the Petitioner	:	Ms. Misha Bharti, Advocate Mr. Vishal Vikram Rana, Advocate
For the Opposite Party	:	Mr. Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 21-03-2025 Heard learned counsel for the petitioners and
learned counsel for the State.

2. This application has been filed challenging the order dated 18.02.2021 passed by the learned Judicial Magistrate, 1st Class, Muzaffarpur, in Mahila P.S. Case No.41 of 2019, by which the learned Magistrate has taken cognizance against the petitioners for the offence under sections 498-A, 323, 341, 34 of the Indian Penal Code and under section 3/4 of the Dowry Prohibition Act.



3. As per the F.I.R., the marriage of the informant was solemnized with accused Subodh Kumar. After the marriage, the accused persons including these petitioners started demanding dowry of Rs.5,00,000/- and one Alto Car from the informant and on non-fulfillment of demand of dowry, she was tortured by the accused persons and the accused persons also tried to kill her. It is also alleged that the husband of the informant has illicit relationship with one girl with whom he is residing in Mumbai.

4. There are serious allegations of demand of dowry and torture against these petitioners which cannot be examined by this Court at this stage. *Prima facie* case is made out against the petitioners. Hence, I do not find any error in the impugned order.

5. This application is dismissed with liberty to the petitioners to raise all the grounds at an appropriate stage.

(Sandeep Kumar, J)

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