

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59493 of 2021

Arising Out of PS. Case No.-513 Year-2020 Thana- NARPATGANJ District- Araria

1. BIPIN KUMAR @ BIPIN KUMAR SAMRAT S/o Sri Nunulal Yadav Resident of Village - Barahara, Ward No. -7, P.S. - Narpatganj, District - Araria.
2. Mohan Yadav @ Anand Mohan Kumar S/O Sri Dayanand Yadav Resident of Village - Barahara, Ward No. -7, P.S. - Narpatganj, District - Araria.
3. Nunulal Yadav S/o Sri Vaijnath Yadav Resident of Village - Barahara, Ward No. -7, P.S. - Narpatganj, District - Araria.
4. Madan Mohan Kumar S/o Sri Nunulal Yadav Resident of Village - Barahara, Ward No. -7, P.S. - Narpatganj, District - Araria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harish Jalan
For the Opposite Party/s : Mr. Md. Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 24-03-2025 Heard the parties.

2. Learned counsel for the petitioners seek permissions to withdraw the present application on behalf of the petitioner nos. 1 and 3.

3. Permission is accorded.

4. Accordingly, the present application is dismissed as withdrawn on behalf of the petitioner nos. 1 and 3 with liberty to raise all the grounds at the stage of framing of charge.

5. So far as petitioners no. 2 and 4 are concerned, they are relatives.



6. The prosecution case in brief is that the marriage of the informant was solemnized with the petitioner no. 1. After sometime of marriage, petitioner no. 1 in connivance with other accused-petitioners demanded Rs. 10,000,00/- as cash and four wheeler from the informant. For this, they physically and mentally tortured the informant. For this, informant lodged Narpatganj P.S. Case No. 181 of 2019 against the petitioners, but they were continuously torturing her for withdrawing the dowry harassment case. Due to this, informant has lodged the present case against the petitioners.

7. From the F.I.R., it appears that there are general and omnibus allegation against the petitioner nos. 2 and 4.

8. In view of the law laid down by Hon'ble Supreme Court in the case of ***Kahkashan Kausar & Ors V/s State of Bihar & Ors; AIR (2022) SC 820***, this application is allowed with regard to the petitioner nos. 2 and 4. The application of petitioners no. 1 and 3 is dismissed as withdrawn.

9. Accordingly the present application is partly allowed.

(Sandeep Kumar, J)

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