

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60207 of 2021

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

Subodh Kumar S/o- Shri Devlal Ray @ Devlaal Rai Resident of Village and
P.O.- Parmanandpur, P.S.- Ladaura, District- Muzaffarpur, Pin Code- 843113.

... .. Petitioner/s

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, District- Muzaffarpur- 843119,
Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Vishal Vikram Rana, Advocate
For the State	:	Mr.Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 21-03-2025 Heard learned counsel for the petitioner 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 petitioner 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 the petitioner. After the marriage, the accused persons including this petitioner 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 petitioner 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 this petitioner which cannot be examined by this Court at this stage. *Prima facie* case is made out against the petitioner. Hence, I do not find any error in the impugned order.

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

(Sandeep Kumar, J)

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