IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9427 of 2026

CNR No. BRHC010126462026

Arising Out of PS. Case No.-26 Year-2019 Thana- JAYRAMPUR District- Sheikhpura

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1. Rakesh Yadav @ Rakesh Kumar S/o Mannu Yadav R/o Village- Ukhdi, P.S- Jairampur, Dist- Sheikhpura.
2. Mannu Yadav @ Abhimanyu Yadav S/o Late Ram Sharan Yadav R/o Village- Ukhdi, P.S- Jairampur, Dist- Sheikhpura.

... ... Petitioners

Versus

The State of Bihar

... ... Opposite Party

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Appearance :
For the Petitioner : Mr. Rabindra Prasad Singh, Advocate
For the Opposite Party-State: Mr. Satya Nand Shukla, APP

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CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR

ORAL ORDER

2 18-11-2026 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners have approached this Court for quashing of the order dated 13.01.2020, passed by the learned Judicial Magistrate 1st Class, Sheikhpura, in connection with Jairampur P.S. Case No. 26 of 2019, whereby and whereunder cognizance of the offences punishable under Sections 302, 498A/34 of the Indian Penal Code (IPC) has been taken against the petitioners.

3. As per the allegation, marriage of the daughter of the informant (deceased) was solemnized with petitioner No. 1 after the husband of the deceased, with whom she was previously married, died in 2009. It has been alleged that

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petitioner No. 1, who happens to be the husband, as well as petitioner No. 2, who happens to be the father of petitioner No. 1, in order to grab the property, killed the daughter of the informant.

4. Learned counsel for the petitioners has submitted that the petitioners have been falsely implicated in this case. Moreover, the case was registered for the offence under Section 304B of the IPC, but the police, after investigation, submitted charge-sheet under Section 302 of the IPC, whereafter, the learned Magistrate also took cognizance against the petitioners under Section 302/498A/34 of the IPC and except suspicion, there is nothing against the petitioners.

5. Learned counsel for the State opposed the prayer of the petitioners.

6. Heard the parties and perused the record.

7. This is a case of murder. The marriage of the deceased with petitioner No. 1 was a valid marriage after the death of the previous husband of the deceased. Moreover, a *prima facie* case has been found by the learned Magistrate, the order taking cognizance was passed in the year 2022. Moreover, at this stage, this Court is not inclined to interfere in the matter.

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8. This application is accordingly dismissed.

(Praveen Kumar, J)

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