

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42607 of 2016

Arising Out of PS. Case No.-103 Year-2014 Thana- JALE District- Darbhanga

1. Mukesh Pratihast Son of Shyam Sundar Pratihast, Resident of Village- Pihwara, P.S.- Saharghat, District- Madhubani presently residing at flat No. 284, Sector- 13, Pocket-A, P.S. Dwarka, District New Delhi.
2. Shyam Sundar Pratihast @ Shyam Sunder Son of Late Kameshwar Pratihast, Resident of Village- Pihwara, P.S.- Saharghat, District- Madhubani.
3. Moti @ Sushila @ Sushila Pratihast Wife of Shyam Sundar Pratihast, Resident of Village- Pihwara, P.S.- Saharghat, District- Madhubani.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : None

For the Opposite Party/s : Mr. Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

5 13-01-2026 None present for the petitioners.

2. The order dated 11.02.2016 passed by the learned Chief Judicial Magistrate, Darbhanga taking cognizance under Sections 307, 341, 323, 324, 379, 498A, 504/34 of I.P.C. in Jalley P.S. Case No. 103/2014 dated 19.07.2014 registered under Sections 341, 323, 324, 307, 379, 498(A), 504/ 34 of the I.P.C. along with Section 3 /4 of Dowry Prohibition Act has been challenged in the year 2016.

3. This application is dismissed on the ground of delay and laches with liberty to the petitioners to raise all the grounds at the stage of framing of charge.



4. If such an application is filed, the same shall be heard and considered by the learned court below in view of the law laid down by the Hon'ble Supreme Court in the case of ***Kanchan Kumar vs. State of Bihar*** reported in ***(2022) 9 SCC 577*** and accordingly a reasoned order shall be passed.

5. The interim protection, if any, granted to the petitioners, is hereby vacated.

6. Let a copy of this order be communicated to Principal District Judge, Darbhanga through FAX so that the case will proceed further.

(Sandeep Kumar, J)

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