

IN THE COURT OF Ms. ANKITA  
JUDICIAL MAGISTRATE FIRST CLASS- I  
BIRAUL, DARBHANGA

C.R. Case No. -53/2025

**Sinku Kumari v. Shrawan Kumar Yadav and ors.**

ORDER

Date of Order	Order with signature of the Court	Remarks
09.03.2026	<p>Today, this record is pending for adducing of enquiry witnesses by complainant since 16.05.2025. Neither the complainant nor her ld. counsel is present before the court. Perused the case record. On perusal, it appears that <b>complainant Sinku Kumari</b>, W/o Shrawan Yadav, has filed this complaint case against three accused persons namely, <b>1. Shrawan Kumar Yadav, 2. Sumitra Devi and 3. Fuldai Devi u/S. 115(2), 85, 82 read with S.3(5) of BNSS, 2023 AND S. 3/4 D.P. Act</b> in the court of A.C.J.M.-I, Biraul, Darbhanga on 27.02.2025. Thereafter, the case was made over under Section 212 of B.N.S.S., 2023, to this court on 30.04.2025 for enquiry and further proceedings.</p> <p>Perused the case record, it transpires that the complainant has been continuously absent since several dates despite multiple orders from the court after her solemn affirmation on oath (S.A.) on 01.05.2025 and no enquiry evidence has been adduced on her behalf since then. A foundational concept of Common Law is "<i>Vigilantibus non dormientibus Aequitas subvenit</i>" i.e., <b>the law will not help those who sleep over their own rights</b>. The allegations in the complaint petition lack in establishing the commission of alleged offences since it is not corroborated by any evidence.</p> <p style="text-align: right;">(Contd.)</p>	

**As it is evident that there is no material on record for a prima facie case to be made out against the accused persons, the present complaint case is hereby dismissed under S.226 of B.N.S.S., 2023.**

The Office is hereby directed to deposit the case record to the Record Room within the stipulated time, after following all the procedural formalities.

Sd/-

*A.K.B.*  
03 03 2026

J.M.F.C. -I

**BIRAU (DARBHANGA)**