IN THE HIGH COURT OF JHARKHAND AT RANCHI

Cr. Rev. No. 1175 of 2025

Binod Kumar Singh ….. Petitioner

Versus

1. The Central Bureau of Investigation (CBI), through the Superintendent of Police, Dhanbad
2. The Superintendent of Police, Central Bureau of Investigation, Dhanbad

….. Opp. Parties

CORAM

HON'BLE MR. JUSTICE RAJESH SHANKAR

For the Petitioner: Mr. Rajendra Krishna, Sr. Advocate
For the O.Ps: Mr. Prashant Pallav, A.S.G.I

02/10.07.2026 The present criminal revision is directed against the order dated 22.04.2025 passed by the Special Judicial Magistrate, C.B.I, Dhanbad in M.C.A. Case No. 4311/2024, arising out of CBI, ACB, Dhanbad P.S. Case No. RC 09(A)/2011-D registered for the offence under Sections 120B & 420 of IPC and Section 13(2) read with Section 13(1)(d) of the Prevention of Corruption Act by which the discharge petition dated 10.06.2024 preferred by the petitioner has been rejected. The case is now pending in the Court of Sri Abhijeet Pandey, S.D.J.M-cum-Spl. J.M, C.B.I, Dhanbad.

2. Mr. Prashant Pallav, learned A.S.G.I, at the outset, raises objection with regard to maintainability of the present criminal revision and submits that since the impugned order dated 22.04.2025 has been passed by the Special Judicial Magistrate, C.B.I, Dhanbad, the petitioner should have preferred a revision before the Sessions Court invoking Section 397 of Cr.P.C, corresponding to Section 438 of the Bharatiya Nagarik Suraksha Sanhita, 2023. The said issue has already been set at rest by various judgments of the Hon'ble Supreme Court as well as this Court. He also refers to a judgment dated 24.11.2025 passed by this Court in Cr. Revision No. 843/2025.

3. Mr. Rajendra Krishna, learned Sr. counsel for the petitioner, prays for withdrawal of the present revision with liberty to the petitioner to prefer a fresh

revision petition before the Sessions Court challenging the impugned order dated 22.04.2025.

4. Considering the said prayer, the present criminal revision is disposed of as withdrawn with the aforesaid liberty.

5. If a fresh revision is preferred by the petitioner before the Sessions Court, Dhanbad within one month from today along with an application seeking condonation of delay, the Sessions Court shall consider the application seeking condonation of delay keeping in view that the present criminal revision remained pending before this Court from 18.07.2025 till today and the petitioner was bonafidely pursuing the same.

Satish/- (RAJESH SHANKAR, J)