

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.20811 of 2015**

Arising Out of PS.Case No. -null Year- null Thana -null District- NALANDA (BIHARSHARIFF)

Upendra Nath Sinha, Son of Sri Sadhusharan, Resident of Village- Tufanganj, P.S.-  
Rahui, Bhaganbigha, District- Nalanda.

.... .... Petitioners

Versus

1. The State of Bihar.
2. Arbind Kumar, Son of Sri Sadhusharan Prasad, Resident of Village- Tufanganj,  
P.S.- Rahui, Bhaganbigha, District- Nalanda.

.... .... Opposite Parties

**Appearance :**

For the Petitioner/s : Mr. Ajay Kumar, Advocate

For the Opposite Party/s : Mr. S.M. Rahman, APP

**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH**

**ORAL JUDGMENT**

**Date: 26-06-2015**

Heard learned counsel for the petitioner and learned  
counsel for the State.

The instant application under Section 482 of the Code of  
Criminal Procedure has been filed against the order dated 6<sup>th</sup>  
August, 2014 passed by the learned Adhoc Additional District &  
Sessions Judge-I, Nalanda at Biharsharif in Criminal Revision No.  
239 of 2012 by which revision application of the petitioner against  
the order dated 15.5.2012 passed by the learned S.D.M.,  
Biharsharif, Nalanda in Case No. 233(MP)/2011 has been

dismissed.

Though the application has been filed under Section 482 of the Code of Criminal Procedure but the same is in the nature of second revision which is barred under Section 397(3) of the Code of Criminal Procedure.

In that view of the matter, I am not inclined to entertain the application. Accordingly, the application is dismissed.

**(Ashwani Kumar Singh, J.)**

Sanjeet/-

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