

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.19500 of 2015

Arising Out of PS.Case No. -463 Year- 2008 Thana -PHULWARI District- PATNA

Amir Azam Khan, Son of Saiyad Akhtar Khan, Resident of Mohalla-Sultanganj, Police Station - Sultanganj, District - Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Mouar, Advocate

For the Opposite Party/s : Mr. Harendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 07-05-2015

In the present application filed under Section 482 of the Code of Criminal Procedure, the petitioner has challenged the order dated 29.08.2014 passed by the learned Sessions Judge, Patna in Criminal Revision No. 4281 of 2014 whereby the revision directed against the order dated 18.05.2014 passed by the learned Judicial Magistrate-1st Class, Patna in G.R. Case No. 5618 of 2008 corresponding to Phulwarisharif P.S. Case No. 463/08 has been dismissed.

By the aforementioned order dated 18.05.2014, the learned Judicial Magistrate had dismissed the application of the petitioner filed under Section 239 of the Code of Criminal

Procedure for discharge.

Though the present 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, the application is dismissed as not maintainable.

(Ashwani Kumar Singh, J.)

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