

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40569 of 2014

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MOST KIRAN BALA WIFE OF LATE BINOD KUMAR RESIDENT OF
G/114 PEOPLES CO-OPERATIVE COLONY, KANKARBAGH, P.S.
KANKARBAGH, P.O. LOHIA NAGAR, DISTRICT-PATNA.

.... PETITIONER/S

VERSUS

1. THE STATE OF BIHAR THROUGH COLLECTOR PATNA.
2. SUB-DIVISIONAL MAGISTRATE, PATNA CITY.
3. SENIOR SUPERINTENDENT OF POLICE, PATNA.
4. OFFICER-IN-CHARGE, ALAMGANJ POLICE STATION, PATNA,
PATNA-7.
5. DR. SMT. PRIYANKA PRIYADARSINI WIFE OF SURESH
KUMAR SINGH.
6. SURESH PRASAD SINGH SON OF SHRI CHANDERIKA PRASAD
SINGH.
BOTH RESIDENTS OF VILLAGE-RUSULPUR, KORA GAOWN,
P.S. GORAUL, P.O. HAJIPUR, DISTRICT VAISHALI AT PRESENT
MOHALLA BAGMALI, P.S. HAJIPUR, P.O.-HAJIPUR, DISTRICT-
VAISHALI.
7. SUJAY SON OF LATE FAGGU MAHTO RESIDENT OF
MOHALLA KASWA KRISHNABAGH, P.S. MEHDIGANJ, P.O.
JHANGANJ, DISTRICT-PATNA.

.... OPPOSITE PARTY/S

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Appearance:

For the Petitioner/s : Mr. Satya Ranjan Sinha, Adv.
For the Opposite Party/s : Mr. GP.8, Manish Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

5 09-09-2015 Heard learned counsel for the petitioner as well as
learned counsel for the opposite party.

Petitioner has asked for review of order dated
15.05.2014 which was passed taking into account concealment of fact
relating to filing of CWJC No.25378 of 2013 by the petitioner and
further, having the same disposed of vide order dated 28.02.2014 with
certain observation which, the learned counsel for respondent no.6
have furnished during course of submission.

Learned counsel for the petitioner submitted that the
order has been passed due to oversight and for that the petitioner had
tried to justify that I.A. No.792 of 2014 had already been filed at her

end disclosing the real fact.

Had there been sincere effort at the end of petitioner then even at the time of argument during course of which order dated 28.02.2014 passed in CWJC No.25378 of 2013 was produced at the end of respondent no.6, it would have been disclosed that the aforesaid event has been brought up to the notice of the Bench under I.A. No.792 of 2014. Certainly, the aforesaid I.A. No.792 of 2014 was not on the record on the day of hearing. Furthermore, instant petition has been filed in the year 2014 while earlier one happens to be of the year 2013 and so, petitioner was well aware with the fact that she is prosecuting with CWJC No.25378 of 2013 for the same cause and even though, there happens to be disclosure under para-18 of the petition nullifying the same. The subsequent conduct speaks a lot. Because of the fact that at an earlier count also the status of petitioner being a lady was taken into consideration, as such at the present moment also her status is acknowledged and with warning instant petition is disposed of.

(Aditya Kumar Trivedi, J.)

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