

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21956 of 2011

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1. Phulendra Narayan Singh S/O Late Yogendra Narayan Singh Manager
North Eastern Carrying Corporation Ltd., Branch Office, Purnea, P.S.-
Purnea, Distt.-Purnea.

.... Petitioner/s

Versus

1. The State Of Bihar Through The District Magistrate, Purnea.
2. Ashok Kumar Chaudhary, Proprietor Of M/S Ashish Company, Sanskrit
Bhawan, Circuit House Road, Purnea, P.S.-K. Hat, Distt.-Purnea.

.... Respondent/s

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Appearance :

For the Petitioner/s : None

For the Respondent/s : Mr. Dinbandhu Singh Gp9

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

5 27-11-2015

Nobody appears on behalf of the petitioner.

Heard the counsel for the State.

Petitioner is the complainant of C.A. No. 870 of 2006
filed under Sections 420 and 500 of the IPC. The learned
Magistrate took cognizance of the case. Aggrieved thereby the
accused filed a revision which was considered and allowed to the
extent that cognizance taken under Section 420 of the IPC was
not sustainable in the setting of allegations constituted in the
complaint.

Present writ application assails the aforesaid order
passed by the learned Additional Sessions Judge, Fast Track Court
no.III, Purnia in Cr. Revision no. 131 of 2007. Counsel for the

State has rightly pointed out that the order passed by the learned Additional District Judge can be assailed under the relevant provisions of the Code of Criminal Procedure. The writ application is not maintainable.

Agreeing with the submission of the counsel for the State, the writ application is dismissed.

(Kishore Kumar Mandal, J)

Shyam/-

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