

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.52955 of 2015

Arising Out of PS.Case No. -552 Year- 2007 Thana -PATNA COMPLAINT CASE District-
PATNA

- =====
1. Narendra Nath Mishra son of Late Nilambar Mishra, village & P.O. - Gandhwar, P.S. - Sakari, District - Madhubani at present Advocate Patna High Court residing in Bimla Tower, Flat No. A-14 New Punaichak, P.O. & P.S. - Shastrinagar, Patna-23
 2. Sunil Kumar Mishra son of Shri Narendra Nath Mishra, village & P.O.- Gandhwar, P.S. - Sakari, District - Madhubani at present Senior Manager United Bank of India, Motijheel Branch, Muzaffarpur

.... Petitioner/s

Versus

1. State of Bihar
2. Smt. Usha Sharma wife of Late Anil Sharma @ Anil Kumar, Managing Director Vaishnavi Architect & Engineering Private Limited at present village- South Tola Bakhtiyarpur, P.O.+P.S.+Railway Station- Bakhtiyarpur, District- Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satish Chandra Jha, Advocate

For the Opposite Party/s : Mr. Md.Ansarul Haque, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 17-12-2015

By way of the present application under section 482 of the Code of Criminal Procedure (for short “Cr.P.C.”), the petitioners seek quashing of the order dated 7.10.2015 passed in Criminal Revision No.489 of 2015-10-06 by the learned Additional District and Sessions Judge-XI, Patna, whereby the revision application preferred by the petitioners against the order dated 16.7.2015 passed by the learned Judicial Magistrate, 1st Class, Patna, in Complaint Case No.552(C) has been rejected and the order passed by the learned

Judicial Magistrate, 1st Class, Patna, has been affirmed.

By the aforesaid order dated 16.7.2015, the learned Judicial Magistrate, 1st Class, Patna had rejected the application filed on behalf of the petitioners under section 245 Cr.P.C. seeking discharge from Complaint Case No.552(C) of 2007.

Though the present application has been filed under section 482 of the Cr.P.C., the same is in the form of second revision which is barred under section 397(3) Cr.P.C. Even otherwise there is no apparent error in the impugned order passed by the revisional court.

Accordingly, the application, being devoid of any merit, is hereby dismissed.

(Ashwani Kumar Singh, J)

Md.S./-

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