

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.671 of 2003

Arising Out of PS.Case No. -null Year- null Thana -null District- EASTCHAMPARAN
(MOTIHARI)

- =====
1. Tauqhir Hasan Siddiqui, son of Late Bazar Hasan Siddiqui, (Expunged vide order dated 06.07.2007)
 2. Anu Siddiqui, son of Tauqhir Hasan Siddiqui, &
 3. Sagir Hasan Siddiqui, son of Late Bazar Hasan Siddiqui, all resident of Agarwa, P.S.- Motihari Town, District- East Champaran

.... Petitioner/s

Versus

1. The State of Bihar &
2. Manzoor Baitha, d/o Bhartul Dhobi, resident of Agarwa, P.S.- Motihari Town, District- East Champaran

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Sangeet Deokuiliar, Advocate

For the Respondent/s : Mr. Satyendra Prasad Singh, Advocate

APP

=====

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 11-05-2015

The Petitioners seek revision of the order dated 17.07.2003 passed by the 2nd Additional Sessions Judge, East Champaran, Motihari, in Cr. Revision No.207 of 2002 by which he has set aside the order dated 23.05.2002 passed by the Sub-Divisional Judicial Magistrate, Motihari, by which he had discharged the Petitioners in Tr. No.700 of 2002/2501 of 2003 for the offence under Section(s) 341, 342, 323 and 379 Indian Penal Code.

The case of the Complainant is that on the date of occurrence the accused persons came near his school and assaulted

him with butt of pistol and took away his cash.

It appears that the Opposite Party No.2 was man of notorious character and used to brake open the house of others and capture the vacant land.

The Petitioners had filed a proceeding under Section 144 Cr. P.C. in this regard. It is on account of this dispute that the present Complaint was instituted.

Having looked into the nature of allegation, I would be inclined to allow the application.

Hence, the order dated 17.07.2003 passed by the 2nd Additional Sessions Judge, East Champaran, Motihari, in Cr. Revision No.207 of 2002 is hereby set aside.

The application stands allowed.

(Anjana Prakash, J)

JA/-

U		T	
---	--	---	--