

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.20378 of 2013

Arising Out of PS.Case No. -1222 Year- 2008 Thana -WEST CHAMPARAN COMPLAINT
District- WESTCHAMPARAN(BETTIAH)

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1. Braj Kishore Mishra S/O Late Lal Babu Mishra Resident Of Village Tandwalia,
Police Station Semra, District West Champaran.

.... Petitioner/s

Versus

1. The State Of Bihar
2. The State Of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. A. Kishore Choudhary, Adv.
For the Opposite Party/s : Mr. A.L.Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 09-07-2015

This application under section 482 of the Code of Criminal Procedure (for short 'the Code') is directed against the order dated 08.01.2013 passed by the learned Adhoc Additional Sessions Judge-III, Bettiah, West Champaran in Cr.Rev. No.242 of 2012 arising out of Complaint Case No.1222-C of 2008. By the aforesaid order, the criminal revision preferred on behalf of the petitioner against the order dated 18th July, 2012 passed by the learned Judicial Magistrate 1st Class, Bettiah, West Champaran in Complaint Case No.1222-C of 2008 has been dismissed.

It has been contended that the revision application was not decided on merit and the case was dismissed in absence of the

counsel for the petitioner.

I have perused the order dated 18th July, 2012 passed by the learned Judicial Magistrate 1st Class, Bettiah, West Champaran whereby the application filed by the petitioner under section 311 of the Code along with section 137 of the Evidence Act for further cross-examination of one of the witnesses, namely, Bhup Narayan Shukla has been dismissed. The order passed by the learned Magistrate is speaking one and no illegality can be found with the aforesaid order.

The application, being devoid of any merit, is dismissed.

(Ashwani Kumar Singh, J)

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