

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.48441 of 2012

Arising Out of PS.Case No. -null Year- null Thana -null District- -

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1. Badamu Chauhan son of Late Bishwanath Nonia
2. Kripa Narayan Singh, son of Late Prabhu Narayan Singh
Both residents of Village Nandana, P.S. Chainpur, District Kaimur at Bhabhua.
..... Petitioners

Versus

1. The State of Bihar.
2. Mahatma Beyasanand Chela Sri Sri 1008 Bramhline Swami Sheodharmanand Ji Maharaj and Sri Sri 108 Sri Swami Satyanand Ji Maharaj Brahma Vidhyalaya and Ashram Chhotaka Rajpur, P.S. Semari, District Buxar.
..... Opposite Partoes

Appearance :

For the Petitioners : Mr. Tribhuwan Narayan, Advocate
For the Opposite Party: Mr. Jitendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 23-04-2015

Heard learned counsel for the petitioners as well as learned APP for the State.

2. The present application has been filed for quashing the order dated 23.03.2012 passed in Criminal Revision No.40 of 2012 by the court of learned Sessions Judge, Buxar confirming the order dated 22.12.2011 passed by Sri Rajesh Prasad, learned Judicial Magistrate, Ist Class, Buxar in G.R No.1758 of 2009, Trial No. 1420 of 2011 by which the learned Magistrate has rejected the petition for discharge filed by the petitioners.

3. This Court is of the view that the present application is, in substance, a revision petition and in view of the provisions of

Section 397 (3) of the Code of Criminal Procedure, the same is not maintainable being the nature of second revision. The petition, accordingly, stands dismissed.

B.T/-

(Vikash Jain, J)

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