

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.3483 of 2010

Arising Out of PS.Case No. -0 Year- null Thana -null District- KHAGARIA

Bablu Singh @ Dilip Kumar Singh, son of Laxmi Narayan Singh, resident of village-Sanhouli, P.S. and District- Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar &
2. Kasim Sah, son of late Narayan Sah, resident of village-Dan Nagar, P.S. and District- Khagaria.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramakant Sharma, Advocate
Mr. Mritunjay Kumar, Advocate

For the Opposite Party/s : Mr. B. Ram, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 04-09-2015

The Petitioner seeks quashing of the order dated 05.12.2009 passed by the Sessions Judge, Khagaria, in Cr. Revision No.33 of 2009 by which he has affirmed the order dated 17.04.2007 passed by the Chief Judicial Magistrate, Khagaria, in Khagaria P.S. Case No.326 of 2002 by which he had taken cognizance in the matter without assigning any reason as to why limitation was being condoned.

Notice had been issued to the Opposite Party No.2, but none appears on his behalf.

Having considered the nature of allegation, the order dated 05.12.2009 passed by the Sessions Judge, Khagaria, in Cr.

Revision No.33 of 2009 as also the order dated 17.04.2007 passed by the Chief Judicial Magistrate, Khagaria, in Khagaria P.S. Case No.326 of 2002, are hereby set aside.

The application stands **allowed**.

(Anjana Prakash, J)

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