

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16247 of 2015

Arising Out of PS.Case No. -67 Year- 2004 Thana -EAST CHAMPARAN COMPLAINT District-
EASTCHAMPARAN(MOTIHARI)

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1. Sushil Sikaria @ Sushil Kr. Sikaria son of Nandu Sikaria, R/o Mohalla-
Arya Samaj Road, P.S.- Raxaul, District- East Champaran

.... Petitioner/s

Versus

1. The State of Bihar
2. Bagar Raut, Son of Beyali Raut, resident of Bara Pareaua, P.S. Raxaul,
District East Champaran

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr. A.M.P.Mehta(App)

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR
SINGH

ORAL ORDER

2 28-08-2015 The instant application under Section 482 of the code of Criminal Procedure has been filed for quashing the order dated 13.01.2015 passed in Criminal Revision No. 430 of 2005 by the 5th Additional Sessions Judge, East Champaran, Motihari by which he has dismissed the Revision preferred against order dated 29.08.2005 passed by the learned Sub-Divisional Judicial Magistrate, Raxaul in Complaint Case No. 67 of 2004 taking cognizance of the offences punishable under Sections 147 and 323 of the Indian Penal Code and summoning the petitioner to face trial.

Though the instant application has been filed under

Section 482 of the Code of Criminal Procedure, the same is in the nature of second revision, which is barred under Section 397(3) of the Code of Criminal Procedure. Even otherwise, I do not find any patent illegality in the impugned order dated 13th January, 2015, passed by the learned 5th Additional Sessions Judge, East-Champaran, Motihari in Criminal Revision No. 430 of 2005.

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

(Ashwani Kumar Singh, J)

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