

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20873 of 2015

- =====
1. Devendra Prasad Thakur S/o Late Raghunandan Thakur
 2. Nitendra Thakur S/o Tatnendra Prasad Thakur
 3. Upendra Thakur S/o Devendra Prasad Thakur

All are residents of Mohalla- Neemapatti, Lalu Chapra, P.S.-
Paroo, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar
2. Jitendra Prasad Thakur S/o Raghunandan Thakur, resident of Mohalla-
Neemapatti, Lalu Chapra, P.S.- Paroo, District- Muzaffarpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Dr. Ravindra Kumar, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR
SINGH**

ORAL ORDER

2 26-06-2015 In the present application filed under section 482

Criminal Procedure Code (for short “the Code”), the petitioners

have challenged the order dated 6.12.2010 passed by the learned

Judicial Magistrate, Ist Class, Muzaffarpur in Complaint Case No.

C-67 of 2010 by which he has taken cognizance under section 188

of the Indian Penal Code against the petitioners.

Apparently, the complaint discloses the ingredients of

the offence punishable under section 188 of the Penal Code.

The impugned order was passed in 2010 and the

same is being challenged after five year in 2015. The delay

caused in filing the application before this Court has not been

explained. Even otherwise, the order is revisable in nature. Had the petitioner filed a revision application, the same would have been barred by limitation. In order to avoid the statutory bar under the revisional jurisdiction, the petitioners have filed the present application under section 482 of the Code.

Having regard to the facts and circumstances of the case, I am not inclined to entertain this application. Accordingly, the application is dismissed.

(Ashwani Kumar Singh, J)

Md.S./-

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