

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46376 of 2012

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1. Dina Nath Rai, son of Late Bhuteli Rai
2. Dinesh Rai, son of Late Bhuteli Rai
3. Krishna Rai @ Krishna Kumar Rai, son of Bijali Rai
4. Sheo Pradhan Rai, son of Mahabir Rai
5. Jitendra Rai, son of Bijali Rai
All are residents of Village - Khori Pakar, P.S. Amnour, District - Saran
..... Petitioners

Versus

1. The State of Bihar
2. Shail Devi, wife of Upendra Singh, resident of Village - Khori Pakar,
P.S. Amnour, District - Saran
..... Opposite Parties

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Appearance :

For the Petitioners : Mr. Madhaw Prasad Yadaw, Advocate
For the Opposite Party : Mr. Jitendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 16-04-2015 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 18.07.2012 passed in Criminal Revision No.07 of
2012 by the court of Ist Additional District & Sessions Judge,
Saran at Chapra confirming the order dated 19.08.2011 passed by
Sri S.C. Shrivastava, Judicial Magistrate, Saran at Chapra in
Complaint Case No. 4034 of 2007, Tr. No. 713 of 2012 by which
petition for discharge filed by the petitioners has been rejected.

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.

(Vikash Jain, J)

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