

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.48420 of 2012

Arising Out of PS.Case No. – 217 Year- 2011 Thana -Muffasil District- Munger

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Arun Kumar Gupta, son of Shri Kishori Gupta, Resident of Mohalla Anathalai Road, Nathnagar, P.S. Nathnagar, District Bhagalpur.

.... Petitioner

Versus

The State Of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sandip Kumar Gautam, Advocate

For the Opposite Party: Mr. Jitendra Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 23-04-2015

Heard learned counsel for the petitioner as well as learned

APP for the State.

2. The present application has been filed for quashing the order dated 03.07.2012 passed in Criminal Revision No.336 of 2011 by the court of learned Adhoc Additional District Judge III, Munger confirming the order dated 12.12.2011 passed by learned Chief Judicial Magistrate, Munger in Muffasil P.S. Case No.217 of 2011 by which the learned Magistrate has rejected the petition for release the petitioner's gun and cartridges in his favour.

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)

