

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.964 of 2012

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Amar Jyoti

.... Petitioner/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Indradeo Prasad, Adv.

For the Respondent/s : Mr. Navin Kumar Pandey, App

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

6 10-04-2015

It has been submitted on behalf of the petitioner that even though cognizance was taken in Bhawanipur P.S. Case No. 268 of 2011 after closing of investigation but summons have not been issued against the petitioner at that point of time.

It is submitted that the petitioner has now summoned in the present case.

The background of the case is that a first information report for dacoity had been instituted on 07.08.2011 vide Bihpur Bhavanipur P.S. Case No. 268 of 2011. During investigation the looted articles were recovered from the house of the petitioner upon which Giriyak P.S. Case No. 116 of 2011 dated 08.08.2011 was instituted under Sections 414/120B of the Indian Penal Code. Evidently both the cases arise out of the same transaction and should be amalgamated for the convenience of the parties. Hence when the petitioner submits that there is no material against him

in the present case and he should exonerated from the prosecution, I am not inclined to do so in view of the order for amalgamation.

In such circumstances, the application is rejected. The Court below is directed to amalgamate the two cases i.e. Giriyak P.S. Case No. 116 of 2011 and Bhawanipur P.S. Case No. 268 of 2011 in view of Section 223 Cr. P.C.

(Anjana Prakash, J)

Prakash/-

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