

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.48563 of 2012

Arising Out of PS.Case No. -1871 Year- 2011 Complaint Case District- SIWAN

Nandji Bhagat, son of Late Suryapal Bhagat, Resident of Village - Karmasi, P.S. - M.H.Nagar, District - Siwan

.... Petitioner

Versus

1. The State Of Bihar
2. Sobha Devi, wife of Jawahar Lal Bhagat, Resident of Village - Kanhauli, P.S. - Darauli, Distt. - Siwan, At Present Resident of Village - Karmasi, P.O. - Aranda, P.S. - M.H.Nagar, District - Siwan
3. Babanji Bhagat S/O Late Surjpal Bghagat, resident of Village - Karmasi, P.O. - Aranda, P.S. - M.H.Nagar, District - Siwan
4. Pramod Kumar Pandey, S/O Late Raj Mangal Pandey, Resident of Village - Fatehpur, Karmasi, P.O. - Aranda, P.S. - M.H. Nagar, Distt. - Siwan
5. Sarwanand Pandey, son of name not known, resident of Village - Jiyain, P.O. - Jiyain, P.S. - Siwan Mufassil, District - Siwan
6. Ramji Pandit, son of Late Fagu Pandit, Resident of Village - Sahuli, P.S. - Hussainganj, District - Siwan

.... Opposite Parties

Appearance :

For the Petitioner : Mr. Javed Aslam, Advocate

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

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 30.08.2012 passed in Criminal Revision No.27 of 2017 by the court of learned Sessions Judge, Siwan confirming the order dated 13.01.2012 passed by Sri Abhishek Ranjan, learned Judicial Magistrate, Siwan in Complaint Case No.1871 of 2011 by which he had dismissed the complaint petition under Section 203 of

the Code of Criminal Procedure.

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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