

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.1369 of 2015

Arising Out of PS.Case No. -59 Year- 2006 Thana -SAHARSA COMPLAINT CASE District-
SAHARSA

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1. Urmila Singh wife of Narayan Jha @ A.N. Jha.
 2. Anil Kumar Singh son of Janardan Prasad Singh.
 3. Manoj Kumar Singh.
 4. Mukesh Kumar Singh.
 5. Sunil Kumar Singh.

All sons of Janardan Prasad Singh and all residents of Gandhi Path, Saharsa, P.S.-
Saharsa, District -Saharsa. Petitioners.

Versus

1. The State of Bihar.
2. Kapil Deo Prasad Sah, son of Gurucharan Sah, resident of Village - Patuaha,
P.S.- Saharsa, District - Saharsa. Opposite Parties.

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Appearance :

For the Petitioners : Mr. Anant Kishore Lal Das, Adv.
For the Opposite Parties : Mr. Braj Kishore Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 01-09-2015

The instant application under Section 482 of the Code
of Criminal Procedure has been filed for quashing of the order dated
13.11.2014 passed by the learned Additional Sessions Judge-III,
Saharsa in Criminal Revision No. 228 of 2008 whereby and
whereunder the revision filed by the petitioners against the order
dated 11.09.2008 passed by the Judicial Magistrate-1st Class,

Saharsa in Complaint Case No. 59(C) of 2006 taking cognizance under Section 341, 323, 379 and 504 of the Indian Penal Code has been rejected.

Apparently, though the application has been filed under Section 482 of the Code of Criminal Procedure, the same is in the nature of second revision which is barred under Section 379(3) of the Code of Criminal Procedure. Even otherwise, there is no patent illegality in the impugned order.

In that view of the matter, I find no merit in this application. Accordingly, the application is dismissed.

(Ashwani Kumar Singh, J.)

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