

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.42852 of 2013

Arising Out of PS.Case No. -3425 Year- 2004 Thana -PATNA COMPLAINT CASE District-
PATNA

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Dwarkadhish Prasad Singh @ Lakhan Singh Son of Late Baijnath Prasad Singh
Resident of Mohalla- Ramji Chak, P.O.- Bataganj Digha, District- Patna

.... Petitioner

Versus

1. The State of Bihar

2. Md. Saood, Sub-Divisional Magistrate, Patna Sadar, Patna, District- Patna

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr.Uday Kumar, Advocate

For the Opposite Party/s : Mr. Rajeev Nayan, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 12-08-2016

In the present application the petitioner has challenged the order dated 21.05.2013 passed by the learned Additional Sessions Judge-VII, Patna in Criminal Revision No. 169 of 2005 arising out of Complaint Case No. 3425(M) of 2004 by which the Additional Sessions Judge-VII, Patna has rejected the revision application preferred by the petitioner against the order of cognizance taken under Section 188 IPC passed on 17.12.2004 by the learned Chief Judicial Magistrate, Patna in Complaint Case No. 3425(M) of 2004 has been dismissed and the order passed by the Chief Judicial Magistrate, Patna has been confirmed.

Though the present application has been preferred under Section 482 of the Code of Criminal Procedure, the same is in the nature of second revision, which is barred in law in view of Section

397(3) of the Code of Criminal Procedure. Even otherwise, I do not find any illegality or irregularity in the impugned order dated 21.05.2013 passed by the learned Additional Sessions Judge-VII, Patna.

In that view of the matter, the application is dismissed.

(Ashwani Kumar Singh, J.)

Sanjeet/-

AFR/NAFR	NAFR
CAV DATE	----
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