

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.53716 of 2013**

Arising Out of PS.Case No. -18 Year- 2010 Thana -PALASI District- ARRARIA

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Md. Manjoor Alam @ Manjar Alam S/O Md. Soyeb Alam, resident of  
Village - Jogjanbhag Chatarpur Palasi P.S. Palasi, District - Araria

.... .... Petitioner

Versus

1. The State of Bihar  
2. Ahsan S/O Sri Zainuddin Siddique, resident of Village - Laxmipur, P.S.  
Naytan District - West Champaran, at present Zila Karyakram Samnwayak,  
Bihar Shiksha Pariyojana Araria Cum Zila Shiksha Adhikashak, Araria

.... .... Opposite Parties

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**Appearance :**

For the Petitioner/s : Mr. Anil Prasad Singh

For the Opposite Party/s : Mr. A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR**  
**ORAL ORDER**

2      26-07-2016                      Heard Sri Anil Prasad Singh, learned counsel for  
the petitioner and learned Addl. Public Prosecutor.

The sole petitioner has approached this Court,  
invoking its inherent jurisdiction under Section 482 of the Code of  
Criminal Procedure, with a prayer to quash an order dated  
31.07.2013 passed by the learned Sessions Judge, Purnia. By the  
said order, the learned Sessions Judge has rejected the revision i.e.  
Cr.Revision no.323/2013 filed by the petitioner. The revision was  
filed against the order dated 12.04.2013 passed by learned Judicial  
Magistrate, 1<sup>st</sup> Class, Araria rejecting the discharge petition of the  
petitioner. The petitioner had filed a discharge petition in Palasi  
P.S. Case no.18/10, G.R. no.160/10 registered for the offence

under Sections 409, 420, 34 of the Indian Penal Code.

In the F.I.R., there was allegation of misappropriation of government fund to the tune of Rs. 5 Lacs. Since the order of rejection of discharge has already been affirmed by the revisional court, there is no reason for entertaining the present petition, which has been filed in the garb of Section 482 of the Code of Criminal Procedure. The present petition amounts to a second revision, which is barred under Section 397(3) of the Code of Criminal Procedure. Moreover, besides this, I have perused the materials available on record. I do not find any ground to interfere with the impugned order.

The petition stands dismissed.

Keeping in view the fact that F.I.R. was lodged in the year 2010 itself, it is necessary to direct the court below to proceed with the case expeditiously.

**(Rakesh Kumar, J)**

NKS/-

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