

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31572 of 2015

Arising Out of PS.Case No. -830 Year- 2013 Thana -SAHARSA COMPLAINT CASE District-
SAHARSA

=====

Krishnakanhaiya Singh @ Guddu Singh, son of Naresh Mohan Singh, r/o village Parasrama, P.S. + district Supaul at present residing in Fulkunj Abdhesh Kumar Sharma Sahdevan Nagar OTC Campus Pandra Ranchi, Ward No. 34, P.S. Sukhdevan Nagar, district Ranchi Petitioner

Versus

1. State of Bihar
 2. Neetu Singh, w/o Krishnakanhaiya Singh @ Guddu Singh, d/o Ghanshyam Singh, r/o village Parasrama, P.S. + district Supaul at present residing in Mohalla Gangjalla Ward No. 19, Saharsa, P.S. + district Saharsa Opposite Parties
- =====

Appearance :

For the Petitioner : Mr. Shiva Shankar Sharma, Adv.
For the State : Mr. Parmeshwar Mehta, APP
For opposite party no. 2 : Mr. Diwakar Prasad Singh, Adv.

=====

CORAM: HONOURABLE MR. JUSTICE GOPAL PRASAD
ORAL ORDER

- 3 06-05-2016 Heard the learned counsel for the petitioner, opposite party no. 2 and the State.

This is a petition for quashing the order, dated 29.04.2014, passed in Criminal Revision No. 294 of 2013, by the Ad Hoc Additional Sessions Judge, II, Saharsa, by which he has set aside the order, dated 12.11.2013, passed by the Subdivisional Judicial Magistrate, Saharsa, in Complaint Case No. 830C of 2013.

The learned counsel for the petitioner raised the sole point that the revisional Court has passed the order without any notice and hearing the petitioner and has placed reliance upon decisions reported in **(2015) 6 SCC, 287 (Priyanka Srivastava & Ors. Vrs. The State of Uttar Pradesh & Ors.)** and **(2012) 10 SCC 517 (Manharibhai Muljibhai Kakadia & Anr. Vrs. Shaileshbhai Mohanbhai Patel & Ors.)**.

Having regard to the facts and circumstances of the case, the impugned order as well as the consequent orders are set aside and the case is sent back to hear the parties afresh after issuing notice to the petitioner.

With these observations and directions, this application is **disposed off**.

(Gopal Prasad, J)

SA/-

U	√	T	√
---	---	---	---