

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.5277 of 2014

Arising Out of PS.Case No. -null Year- null Thana -null District- BEGUSARAI

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Ranjan Kumar son of Late Bhubneshwar Mahto, Residence of Village - Pachamba, P.S.- Muffasil, Districtt. Begusarai at present Ashok Nagar, Pokharia, Ward No.36, Mayank Medical Hall, N.H.-31, Begusarai

.... Petitioner/s

Versus

1. The State of Bihar
2. Mohan Kumar son of Sri Kedar Rai, Residente of Village - Bahuara, P.S.- Birpur, District- Begusarai

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 15-11-2016

This application under Section 482 of the Code of Criminal Procedure (for short 'CrPC') has been filed for quashing the order dated 21.5.2013 passed by the learned *Ad hoc* Additional District and Sessions Judge-V, Begusarai in Criminal Revision No.237 of 2012 by which he has affirmed the order dated 20.4.2012 passed by the learned Judicial Magistrate, 1st Class, Begusarai in connection with Complaint Case No.2684C of 2011 whereby he has found a *prima facie* case to be made out under Section 138 of the Negotiable Instruments Act, 1881 against the petitioner and summoned him to face trial.

2. I have perused the record. Though the present application has been filed under Section 482 of the CrPC, it is in the nature of

second revision which is barred in law. Even otherwise, I find no illegality in the order passed by the revisional court. The allegations made in the complaint do attract ingredients of the offence punishable under Section 138 of the Negotiable Instruments Act, 1881.

3. In that view of the matter, the application, being devoid of any merit, is dismissed.

(Ashwani Kumar Singh, J)

Md.S./-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	
Transmission Date	