

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.35602 of 2013

Arising Out of PS.Case No. -1263 Year- 2006 Thana -MUZFFARPUR COMPLAINT CASE
District- MUZAFFARPUR

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Pankaj Kishore @ Pankaj Kishore Rai, son of Late Sita Ram Rai, resident of Gadha Bahram, P.S. Paroo, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar
2. Ramashankar Prasad Yadav, S/o Sri Janak Rai, resident of Gadha Bahram, P.S. Paroo, District- Muzaffarpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Verma, Adv.

For the Opposite Party/s : Mr. Amrendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 10-08-2016

The challenge in the present application filed under Section 482 of the Code of Criminal Procedure is to the order dated 7th February, 2007 passed by the learned Sub Divisional Judicial Magistrate (West) Muzaffarpur in Complaint Case No. C-1263 of 2006/Tr. No. 1101 of 2010 whereby, after taking cognizance of the offences punishable under Sections 147, 148, 149, 323 and 452 of the Indian Penal Code, the petitioner has been summoned to face trial.

2. The summoning order is certainly not an interlocutory order. A revision would lie against such an order. However, since revision was time barred, it appears that the petitioner has filed the present application on 20th August, 2013 under Section 482 of the Code of Criminal Procedure.

3. It is not known what has happened to the complaint case in question after the impugned order of summoning was passed by the learned Sub Divisional Judicial Magistrate.

4. In that view of the matter, I am not inclined to entertain the present application at this belated stage. Accordingly, the application is dismissed.

(Ashwani Kumar Singh, J)

Pradeep/-

AFR/NAFR	NAFR
CAV DATE	-----
Uploading Date	11-08-2016
Transmission Date	11-08-2016