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IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1607 of 2016

Arising Out of PS.Case No. -54 Year- 2009 Thana -SASARAM NAGAR District- SASARAM (ROHTAS)

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Kranti Ranjan Kumar Son of Bishwanath Prasad, Resident of Mohalla - Kabirganj (before Girls School), P.O. and P.S. - Sasaram, District - Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Anand Kumar Singh,
3. Arvind Kumar Singh Both sons of Shri Kamta Singh, Resident of Village - Mahadiganj, P.O. and P.S. - Sasaram, District - Rohtas.

.... Opposite Party/s

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Appearance :
For the Petitioner/s : M/s Rajani Kant Singh, S. Singh and Sashi Kant, Advs.
For the Opposite Party/s : Veena Rani Prasad (APP)

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 16-08-2016 Heard learned counsel for the petitioner and learned counsel for the State.

In this case, the petitioner is challenging the order dated 21.09.2015 passed in Cr. Revision No. 275 of 2014 whereby and whereunder the Revisional Court has affirmed the order passed by the Sub-Divisional Judicial Magistrate refusing to alter the charge, as the petitioner has filed an application for alteration of charge making prayer therein for addition of sections 427, 380, 504 of the Indian Penal Code. The court below after perusal of the record, did not find any material for alteration of charge which has been affirmed by the Revisional Court.

The counsel for the petitioner submits that the Sub-Divisional Judicial Magistrate did not apply his mind and in perfunctory manner, rejected the application for alteration of charge, but the Revisional Court has passed a detailed order, considered the every aspect of the matter and concurred with the view taken by the Sub-Divisional Judicial Magistrate.

At present, this Court is not interfering with the matter. However after recording the evidence if petition is filed by the petitioner for any alteration of charge, the court below will examine the matter, but after giving proper hearing to the other side, will pass the order in accordance with law

This petition is dismissed with the aforesaid observation/direction.

(Shivaji Pandey, J)

Mahesh/-

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