

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14895 of 2014

Arising Out of PS.Case No. -2414 Year- 2012 Thana -PATNA COMPLAINT CASE District-
PATNA

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Dr. Randhir Kumar Sharma Son Of Ram Das Thakur Resident Of Village -
Hanuman Nagar, P.S.- Patrakar Nagar, District - Patna

.... Petitioner/s

Versus

1. The State Of Bihar
2. Dr. Lakhindra Prasad, Appropriate Authority – cum- Civil Surgeon
Patna Judges Court Road, P.S. Pirbahore District Patna , s/o Late
Jagdish Paswan , r/o Bishunpura , Gidha, P.S. Maniari, District
Muzaffarpur

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Prasad Singh

For the Opposite Party/s : Mr. Madan Kumar (APP)

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 02-08-2016 Heard Sri Santosh Kumar Sinha No. 2 , learned counsel
who was assisted by Sri Arvind Prasad Singh, learned counsel for
the petitioner , Sri Madan Kumar, learned A.P.P. as well as Sri
Anil Kumar Verma, learned counsel for the complainant-
Appropriate Authority- cum- Civil Surgeon /opposite party -2.

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 11.2.2014 passed
by the learned Sessions Judge , Patna whereby he has rejected the
revision i.e. Cr. Revision No. 3823 of 2014, which was preferred
against the order dated 31.1.2014, passed by learned Sub

Divisional Judicial Magistrate, Patna in Complaint Case No. 2414(C) of 2012 rejecting the petition for discharge under section 245 of the Cr.P.C. filed on behalf of the petitioner.

Learned counsel for the petitioner tried to persuade the court that without any material the petitioner has been made accused whereas fact remains that order of rejection of discharge petition has already been approved by the revisional court and the present case filed in the garb of section 482 of the Cr.P.C. has virtually been filed as second revision which is barred under section 397 (3) of the Cr.P.C.

The petition stands dismissed.

(Rakesh Kumar, J)

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