

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34152 of 2013

Arising Out of PS.Case No. -477 Year- 2006 Thana -ROHTAS COMPLAINT CASE District-
SASARAM (ROHTAS)

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Jagtarni Kuer W/O Late Yadu Nandan Gond, resident of Mohalla-
Bhartiganj, P.O. + P.S.- Sasaram, District- Rohtas

.... Petitioner

Versus

1. The State of Bihar
2. Dashrath Sah S/O Late Jagarnath Sah, resident of Mohalla- Bhartiganj,
P.O. + P.S.- Sasaram, District- Rohtas

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra

For the Opposite Party/s : Mr. A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 10-05-2016 Heard Sri Varun Kumar, learned counsel for the

petitioner and learned Addl. Public Prosecutor.

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
10.06.2013 passed by the learned Addl. Sessions Judge-IV, Rohtas
at Sasaram in Cr.Revision No. 15/2013. By the said order, learned
Addl. Sessions Judge has dismissed the revision, which was
preferred against the order dated 04.12.2012 passed by the learned
Judicial Magistrate, 1st Class, Sasaram. Of course, the petitioner in
the present petition has prayed for quashing of order of the
revisional court, there is no specific pleading questioning the order

passed by the learned Magistrate on 04.12.2012 in Complaint Case no. 477/2006. On perusal of the order dated 04.12.2012, it is evident that the accusation was already explained and thereafter, witnesses were also examined.

The said order was assailed before the revisional court and the revisional court has rejected the revision petition i.e. Cr.Revision no.15/2013.

On going through the impugned order, I am of the opinion that no error has been committed by the court below. Moreover, after rejection of the revision petition by the learned Addl. Sessions Judge, in normal course a petition filed under Section 482 of the Code of Criminal Procedure is termed as second revision, which is barred under Section 397(3) of the Code of Criminal Procedure.

I do not find any error in either of the orders. The petition stands dismissed.

(Rakesh Kumar, J)

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