

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 29244 of 2013

Arising Out of PS.Case No. -4 Year- 2000 Thana -GOVERNMENT OFFICIAL COMP. District-
KATIHAR

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Satyendra Kumar Verma S/O Late R.K. Pd. Verma Resident of Village-
Lar, Police Station- Lar, District- Deoriya (Uttar Pradesh), at present
working as Sr. A.D.E.N-I/Katihar, N.F. Railway

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh

For the Opposite Party/s : Mr. Surendra Pd. Singh(App)

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 02-05-2016 Heard 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
26-09-2012 passed by Shri Vidyadhar Pd. Pandey, learned Addl.
District & Sessions Judge-II, Katihar. By the said order, revision
preferred by the petitioner against the order dated 06-04-2010
passed in Case No. II-04 of 2000 by learned Railway Judicial
Magistrate, Katihar was rejected. The learned Railway
Magistrate has rejected the petition filed under Section 245 of
Cr.P.C. for discharge filed on behalf of petitioner by order dated

06-04-2010.

Learned counsel for the petitioner tried to persuade the Court that beyond its territorial jurisdiction, the Railway Protection Force had apprehended the petitioner, got statement and recovered the stolen amount.

I have perused the order rejecting discharge petition as well as order of revisional order. While rejecting the discharge petition, though there was no requirement to assign detail reason, the learned Railway Magistrate has elaborately given the reason. The said order, which was having no error, has already been approved by the revisional court. Once the order rejecting discharge petition was approved by the revisional court, normally, a petition filed under Section 482 of the Cr.P.C. may not be entertained treating it as second revision, which is barred under Section 397(3) of Cr.P.C.

I do not find any error in either of the orders.

The petition stands dismissed.

(Rakesh Kumar, J.)

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