

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.202 of 2016

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Chandra Kishor Munka, son of Late Laxmi Ram Aggrawal, Resident of
village and P.O.- Chausa, P.S.- Chausa, District- Madhepura

.... Petitioner/s

Versus

1. The State of Bihar

2. Meena Devi, Wife of Sri Arjun Yadav, Resident of village- Chausa, P.S.-
Chausa, District- Madhepura

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Jha

For the Respondent/s : Mr. Anita Kumari(App)

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

3 17-11-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner has preferred this revision application
against the impugned judgment and order dated 23.01.2016 passed
by the learned Sessions Judge, Madhepura in Cr. Appeal No. 22 of
2015 thereby setting aside the trial court's judgment and order of
acquittal and remitted back the same giving opportunity to adduce
evidence.

Learned counsel for the petitioner submits that this
case is of the year 2010 and much time has lapsed and judgment of
acquittal was passed as there was no evidence found against
petitioner.

However, on perusal of impugned judgment and
order, closing of the prosecution case by the trial court was



contrary to the provisions of Criminal Procedure Code, even without being assured that summons were issued or not from the office; not to say of the service of summons, the evidence was closed so for that reason, the learned Sessions Judge has remitted back the case after setting aside the order of acquittal for trial afresh.

For the said reason, I do not find any ground for interfering with the impugned order passed by the learned Sessions Judge having no illegality or impropriety. The revision application stands dismissed.

However, it is observed that trial court shall expedite and conclude the trial expeditiously.

(Arun Kumar, J)

Sujit/-

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