IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.876 of 2014

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1. Jagdish Singh S/o Late Sugriva Singh Resident of Village- Dharmdas Dihari, Police Station- Tarari and District- Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar
2. Narendra Narain singh S/o Late Dharmdeo Singh Resident of Village- and Post,- Baraka Gaon, Police Station, Tarari, District- Bhojpur.

.... Respondent/s

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Appearance :
For the Petitioner/s : Mr. Arun Kumar Pandey
For the Respondent/s : Mr. Ram Sumiran Roy(App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

4 09-02-2017 By an order, dated 21.01.2014, passed in Criminal Revision No. 188 of 2011, learned *Ad hoc* Additional Sessions Judge VI, Bhojpur, at Ara, has set aside the order, dated 22.11.2011, passed by learned Judicial Magistrate, 1st Class, Bhojpur, at Ara, in Complaint Case No. 1879 (C) of 2010.

Learned Judicial Magistrate, 1st Class, Bhojpur, at Ara, by the said order, dated 22.11.2011, had dismissed the complaint petition under Section 203 of the Code of Criminal Procedure, 1973. Learned *Ad hoc* Additional Sessions Judge VI, Bhojpur, at Ara, in his order, dated 21.01.2014, has recorded his conclusion that there was sufficient evidence against the accused persons as alleged in the complaint petition and, therefore, the impugned

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order, dated 22.11.2011, passed by the learned Judicial Magistrate, 1st Class, Bhojpur, at Ara, suffered from irregularity.

The said order, dated 21.01.2014, is under challenge in the present criminal revision application.

By the aforesaid order, dated 21.01.2014, the matter had been remanded back to the Court taking cognizance for passing an order afresh. It, further, appears that in the light of the said impugned order, dated 21.01.2014, learned Judicial Magistrate, 1st Class, Bhojpur, at Ara, has already passed order taking cognizance of the offence punishable under Section 420 of the Indian Penal Code.

This revision application, according to me, has become infructuous.

This application is dismissed as having become infructuous.

I. A. No. 2080 of 2014, filed for condonation of delay in preferring the present criminal revision application, stands disposed of accordingly.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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