

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1126 of 2017

Arising Out of PS.Case No. -65 Year- 2013 Thana -SC/ST District-
EASTCHAMPARAN(MOTIHARI)

=====

1. Bipin Giri, Son of Jagat Narayan Giri,
2. Jawahir Giri, Son of Jagat Narayan Giri, Both are Resident of Mohalla -
Pakariya, Police Station Harsidhi, District - East Champaran

.... Appellants

Versus

1. The State of Bihar

.... Respondent

=====

Appearance :
For the Appellant/s : Mr. Sanjay Kumar No.-7
For the Respondent/s : Mr. Sri Sadanand Paswan

=====

CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

3 12-05-2017 Heard learned counsel for the appellants as well as

learned Spl.P.P.

Vide order dated 03.10.2013, cognizance had

already been taken and on account thereof, the instant appeal

under the guise of Section 438 Cr.P.C. is not maintainable as held

by the Hon’ble Apex Court in *Bacchu Das vs. State of Bihar*
2014 (3) SCC 471 as well as *Manju vs. Onkarjit Singh Ahluwalia*
@ Omkarjeet Singh & Others, Cr. Appeal No.570 of 2017.

Accordingly, the instant appeal is dismissed.

(Aditya Kumar Trivedi, J.)

rinkee/-

U		T	
---	--	---	--

