

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2222 of 2015

Arising Out of PS.Case No. -1655 Year- 2013 Thana -KATIHAR COMPLAINT CASE District-
KATIHAR

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1. Md. Sarful Hoda S/O Late Abdul Rashid Resident of Mohana,P.S-
Kadwa, Distt.-Katihar

.... Petitioner/s

Versus

1. The State of Bihar
2. Md.Shamim Akhtar
3. Md.Aslam
4. Md.Kamrul Hasan
5. Md.Nurul Hasan
6. Md.Imam Hasan All sons of Late Md Suleman Resident of Mohana,P.S-
Kadwa,Distt.-Katihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Naushad Akhtar

For the Opposite Party/s : Mr. Suman Kumari Singh (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 02-03-2017 Heard both sides.

The petitioner by filing this petition under Section 482 of the Code of Criminal Procedure seeks quashing of order dated 07.11.2014 passed in Cr. Revision No. 82/2014 by the learned Sessions Judge, katihar.

The brief facts, which are relevant for disposal of the case, are that the complainant-petitioner filed Complaint Case No. 1655/2013. After examination of the complainant, the learned Judicial Magistrate found prima-facie case under Section 420 and 120 (B) of the Indian Penal Code to proceed against the accused



persons. The accused persons, Opposite parties nos. 2-6, preferred Cr. Revision No. 82/2014 and the learned Sessions Judge vide order dated 07.11.2014 allowed the revision and remitted the case to the Judicial Magistrate to pass order afresh in accordance with law.

Learned counsel for the petitioner submits that the order of the learned Sessions Judge is not legal and sustainable, *but* I do not find any illegality and the revisional court remanded the case to the Judicial Magistrate to pass order afresh.

Considering the facts aforesaid, I do not find any merit in the case and the petition is dismissed as devoid of any merit.

(Prabhat Kumar Jha, J.)

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