

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Revision No.707 of 2014**

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Sanjay Paswan @ Sanjay Kumar Paswan, son of Late Rajni Kant Paswan,  
resident of Ward No. 36, Pokhariya, Police Station Town, District  
Begusarai

.... .... Petitioner/s

Versus

1. The State of Bihar
  2. Baleshwar, son of Late Uday, Singh, Staff of Binod Petroleum, NH-28.  
resident of village Asurari, Police Station Barauni, District Begusarai
  3. Niraj Kumar, son of Binod singh
  4. Binod singh, sosn of late Bishundeo Singh
- 3 and 4 are resident of village Asurari, Police Station Barauni, District  
Begusarai, at present, residing in village and Post Office Bihat tola,  
Gurudaspur (Pakka tola), Police Station FCI (Barauni), District Begusarai

.... .... Respondent/s

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**Appearance :**

|                      |   |                                                                                 |
|----------------------|---|---------------------------------------------------------------------------------|
| For the Petitioner/s | : | Mr. Surendra Kishore Thakur<br>Ms. Y. Madhavi<br>Mr. Brajesh Kumar Singh        |
| For the state        | : | Mr. Parmeshwar Mehta(App)                                                       |
| For Pvt. O.Ps.       | : | Mr. V. K. Sharma<br>Ms. Shweta Sharma<br>Ms. Khushboo Kumari<br>Mr. N. K. Singh |

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI  
SHARAN SINGH  
ORAL ORDER**

4      03-03-2017

**I. A. No. 1718 of 2014**

I.A. No. 1718 of 2014 has been filed by the  
petitioner, under Section 5 of the Limitation Act, seeking  
condonation of delay of 118 days in preferring the present  
application.

Having considered the reasons assigned in the  
present petition seeking condonation of delay and having  
heard the learned counsel for the parties, this Court is



satisfied that the petitioner was prevented by sufficient causes from preferring the application within time.

In view of the above, the delay, in preferring the present criminal revision application, is hereby condoned.

I.A. No. 1718 of 2014 stands disposed of.

**CRIMINAL REVISION NO. 707 OF 2014**

Heard learned Counsel for the petitioner and learned Additional Public Prosecutor representing the State. Also heard learned Counsel appearing on behalf of Opposite Party Nos. 3 and 4.

The petitioner is aggrieved by an order, dated 14.12.2013, passed by learned Sessions Judge, Begusarai, in Criminal Revision No. 387 of 2013, whereby he has set aside the order, dated 04.09.2013, passed by learned Judicial Magistrate, 1st Class, Begusarai, in complaint Case No. 1169 (C) of 2013, whereby he had taken cognizance of the offences punishable under Sections 323, 341, 504, 379 of the Indian Penal Code and summoned Opposite Party Nos. 2 to 4.

Learned Counsel appearing on behalf of the petitioner has vehemently argued that the allegations contained in the complaint petition constitute offences under various sections of the Indian Penal Code including Section 3 (xi) of the Schedule Castes and Schedule Tribes (Prevention of Atrocities) Act. She has also submitted that the witnesses,



in course of enquiry, also supported the case of the prosecution.

I have perused the complaint petition and the impugned order. The circumstance, in which the occurrence is said to have taken place, as discussed in the complaint petition, stops me from interfering with the impugned order.

This application is accordingly dismissed.

**(Chakradhari Sharan Singh, J.)**

Prabhakar Anand/-

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