

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

**Criminal Miscellaneous No.16976 of 2014**

Arising Out of PS.Case No. -150 Year- 2011 Thana -LAHERIMUHALLA District- NALANDA  
(BIHARSHARIFF)

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1. Usha Prasad, W/o Dr. Atma Nand Kumar  
2. Rajnish Kumar, S/o Atma Nand Kumar  
All residents of Anand Nurshing Home, Mangla Sthan, Police Station Laheri,  
District Nalanda.

.... .... Petitioner/s

Versus

1. The State of Bihar.  
2. Arti Sharma, w/o late Manoj Sharma, Resident of Village Hussanpur, P.O. &  
P.S. Rajgir, District Nalanda.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Amit Kumar Singh, Advocate.  
For the Opposite Party/s : Mr. Ram Sewak Choudhary.

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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**

**ORAL JUDGMENT**

**Date: 10-07-2017**

1. This application under Section 482 of the Code of Criminal Procedure has been filed for quashing the order dated 17.11.2013 passed by the learned Sessions Judge, Nalanda, in Criminal Revision No. 347 of 2013 dismissing the Revision Application of the petitioners directed against the order taking cognizance dated 22.5.2013 passed by the learned Chief Judicial Magistrate, Nalanda in connection with Laheri P.S. Case No. 150 of 2011.

2. Notice issued on opposite party No. 2 has been validly served but none has appeared on her behalf.



3. Today, when the case is called out no one has turned up on behalf of the learned counsel for the petitioner.

4. From perusal of both the impugned orders, it appears that this quashing application has been filed in the garb of second revision after dismissal of the revision application passed by the Sessions Judge, Nalanda, vide order dated 17.11.2013, by which he has refused to interfere with the order of cognizance dated 22.5.2013 passed by the learned Chief Judicial Magistrate, Nalanda in connection with Laheri P.S. Case No. 150 of 2011 under Sections 304(A), 342 and 201 of the Indian Penal Code against the petitioners.

5. In such circumstances, this Court does not find any merit in the application.

6. This Criminal Miscellaneous application is accordingly dismissed.

7. The court below will proceed in the trial in accordance with law.

**(Sanjay Priya, J)**

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