

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.35927 of 2017

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Upendra Choudhary, S/o Late Bhaddar Choudhary, resident of Village-Ghailarh, P.S.-Gamharia, Dist.-Madhepura at present working as Supervisor in Irrigation Department Ranchi, Jharkhand.

.... Petitioner

Versus

1. The State of Bihar
2. Anar Devi, W/o Upendra Choudhary, resident of Village-Ghailarh, P.S.-Gamharia, Dist.-Madhepura.
At residing at Jai Kumar Chaoudhary, P.S.+District-Supaul Nagar, Parishad-19, District-Supaul.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Bauye Jee Jha (B.J. Jha), Advocate

For the Opposite Party/s : Smt. Nirmala Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 02-08-2017

This application under section 482 of the Code of Criminal Procedure (for short 'Cr. P.C.') has been filed for modification of the order dated 02.05.2017 passed in Cr. Misc. No.38942 of 2013 by this Court whereby the application preferred under Section 482 of the Cr. P.C. seeking quashing of the order dated 30.01.2014 passed by the Sub Divisional Judicial Magistrate, Supaul in Complaint Case No.245(C) of 2013 whereby the petitioner has been summoned to face trial for the



offences punishable under Sections 498A, 494 and 379 of the Indian Penal Code has been dismissed.

In the opinion of this Court, though the prayer has been made under section 482 of the Cr. P.C., the same is in the nature of seeking review of the order, which has been passed on merit, whereby this Court has disposed of the application of the petitioner preferred under section 482 of the Cr. P.C.

In view of the statutory provisions prescribed under Section 362 of the Cr. P.C., a review petition on merit in a criminal case is not maintainable.

Accordingly, the application, being devoid of any merit, is dismissed.

(Ashwani Kumar Singh, J.)

Sanjeet/-

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