

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.20100 of 2017

In

Criminal Miscellaneous No.39019 of 2013

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Ravi Bhushan Prasad Verma son of Late Achyutanand Prasad Verma,
resident of Panditpur, P.O./P.S.Rajgir (Nalanda) at present Amrudi Lane
Aryakumar Road, Patna.

.... Petitioner/s

Versus

1. Janardan Prasad Verma son of Late Guruadhin Prasad Verma
2. Akhilesh Dutt Verma son of Janardan Prasad Verma
Both are resident of Katrapar Biharsharif (Nalanda).
3. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Bhushan Prasad Verma, in person
For the Opposite Party/s : Mr. Dr. Mayanand Jha, APP

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**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR
SINGH
ORAL ORDER**

2 26-04-2017 By way of the present application preferred under

Section 482 of the Code of Criminal Procedure, the petitioner,

who appears in person seeks modification of the order dated

10.04.2017 passed in Cr.Misc. No.39019 of 2013.

No error apparent on the face of the record has been
pointed out by the petitioner in course of argument. It is submitted
by the petitioner that he had filed a written report before the
Officer-in-charge Rajgir Police Station, Nalanda on 17.04.2008
itself, but in the order dated 10.04.2017 it has been recorded in
paragraph-3 that the complainant had filed a written report before



the Officer-in-charge Rajgir Police Station, Nalanda on 12.05.2008. In my view the aforesaid contention of the petitioner is totally misconceived. The FIR has been annexed to the present application as annexure-2. A perusal of the same would clearly show that the written report submitted by the petitioner was received in the police station on 12.05.2008 at 2.30 p.m. and on the same day it was registered.

The next contention of the petitioner is that it is wrongly recorded in paragraph 4 in the order dated 10.04.2017 passed in Cr. Misc. No.39019 of 2013 that the police submitted final report vide Final Report No.90 of 2008 dated 12.06.2008 in the court of Chief Judicial Magistrate. He contended that the aforesaid police report was filed in the court on 21.07.2008 and not on 12.06.2008 and, hence, the same should have been recorded as Final Report No.90 of 2008 dated 21.07.2008. In the opinion of this Court, the aforesaid contention of the petitioner is equally misconceived as would be evident from the copy of the order-sheet of the court of Chief Judicial Magistrate, Nalanda which has been filed by the petitioner in the present application and from perusal of the order dated 21.07.2008 it would be evident that Final Report was numbered as 90 dated 12.06.2008. I see no logic in the contention of the petitioner specially when the final report itself has been



numbered as 90 of 2008 dated 12.06.2008 as to why the Court should have mentioned it as 90 of 2008 dated 21.07.2008 in its order-sheet dated 10.04.2017 passed in Cr. Misc. No.39019 of 2013.

It would be relevant to note here that Section 362 of the Code of Criminal Procedure clearly prescribes that no court when it has signed its judgment or final order disposing of a case shall alter or review the same except to correct clerical or arithmetical error. In the present case, neither there is any clerical nor any arithmetical error.

In that view of the matter, I do not find any merit in the present application. It is dismissed accordingly.

(Ashwani Kumar Singh, J)

Md.S./-

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