

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.34612 of 2011

Arising Out of PS.Case No. -0 Year- null Thana -null District- PATNA

- =====
1. Vidya Devi W/O Gopal Prasad
 2. Gopal Prasad S/O Mahabir Prasad
- Both are resident of Mohalla - Sakari Gali, Shersah Road, P.S. Alamganj, Distt. Patna , at present residing at Mohalla - Gulbi Ghat, P.S. Sultanganj, Distt. Patna

.... Petitioners

Versus

1. The State of Bihar
2. Basudeo Prasad @ Basudeo Lal Jaiswal, S/O Late Gaya Prasad, Jaiswal, resident of Mohalla - Dalhatta, P.S. Malsalami, Distt. Patna

.... Opposite Parties

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Appearance :

For the Petitioners : Mr. Ajit Ranjan Kumar, Advocate.
For the Opposite Parties : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 25-04-2017

Heard learned counsel for the petitioner and learned APP
for the State.

2. The present petition has been filed for quashing the order dated 30.07.2011 passed in Criminal Revision No. 598 of 2010 by the court of learned Additional District & Sessions Judge-III, Patna City confirming the order dated 05.04.2010 passed by Sri Birendra Kumar Chaubey, learned Judicial Magistrate 1st Class, Patna City in Complaint Case No.501(c) of 2009, Trial No. 759 of 2010 by which he had taken cognizance for the offences under Sections 406 and 420 of the Indian Penal Code against the petitioners.



3. Learned counsel for the petitioners has not been able to demonstrate on merits that the impugned revisional order suffers from any infirmity or is perverse in any manner. This Court is, therefore, of the view that having regard to the provisions of Section 397 (3) of the Code of Criminal Procedure, the present application cannot be maintained being in the nature of a second revision. The petition, accordingly, stands dismissed.

(Vikash Jain, J)

Md. Ibrarul/BT

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