

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.945 of 2014

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1. Tapan Kumar Roy Son of Sahendra Prasad Roy Resident of Village - Padampur Hat,
Police Stsation - Dighalbank, Dist.-Kishanganj

.... Petitioner/s

Versus

1. The State of Bihar
2. Md. Azimuddin Son of Late Mahmuddin
3. Dinesh Goswami Son of Sitaram Goswami
4. Kanu Chakraborty Son fo Dulal Chakraborty
5. Sima Devi Wife of Kanu Chakraborty
6. Uma Devi Wife of Dalal Chakraborty All resident of Padampur Hat
7. Junaid Alam Son of Samsuddin Resident of Sukhani Dighi
8. Dhosa Son of not known Resident of Kachahri Basti
9. Harimohan Goswami Son of Sitaram Goswami
10. Yogendra Sah Son of Uchit Lal
11. Bhogendra Son of Uchit Lal
12. Fulo Devi Wife of Yogendra Sah
13. Bachcho Devi Wife fo Bhogendra Sah All resident of Padampur Haqt, Police Station -
Dighalbank, Dist.-Kishanganj

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr.
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH
ORAL JUDGMENT
Date: 13-02-2017

No one appears on behalf of the petitioner.

The petitioner is aggrieved by order dated 26.08.2014
passed by learned Judicial Magistrate, 1st Class, Kishanganj in
Complaint Case No. C609/13, whereby, he has taken cognizance of
the offences punishable under Sections 147, 323, 324 and 504 of the
Indian Penal Code. It is the grievance of the petitioner that the learned
court below ought to have taken cognizance of the offences



punishable under Sections 341, 354, 307, 436 read with Section 34 of the Indian Penal Code and Section 3-(i)(x) of the S.C. & S.T. (Prevention of Atrocities) Act, 1989 also in view of the allegations made in the complaint petition and other materials on record.

Perused the complaint petition and other materials which have been brought on record, along with the present criminal revision application.

From the said materials, I am of the view that the court below has rightly refused to take cognizance of the offence punishable under Sections 341, 354, 307, 436 read with Section 34 of the Indian Penal Code and Section 3(i)(x) of the S.C. & S.T. (Prevention of Atrocities) Act, 1989.

No prima facie case can be said to be made out under the said provisions on the basis of what has been alleged in the complaint case. This criminal revision application lacks bonafide and deserves to be dismissed.

It is, accordingly, dismissed.

(Chakradhari Sharan Singh, J)

Ranjan/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	20.02.2017
Transmission Date	N.A.

