

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.54083 of 2013

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1. Satyendra Kumar Verma Son Of Late R.K.Pd.Verma Resident Of Village- Lar,
P.S.- Lar, District- Deoriya (U.P.) At Present Working As Sr. A.D.E.N.-1/Katihar,
N.F. Railway

.... Petitioner/s

Versus

1. The State Of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. None.

For the Opposite Party/s : Mr. Surendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL JUDGMENT

Date: 01-05-2017

The present application has been filed for quashing the order dated 26.09.2012 passed by learned Additional District & Sessions Judge, Katihar in Cr. Rev. No. 37 of 2010, by which he has dismissed the revision application and affirmed the order dated 06.04.2010, passed by the Railway Magistrate, Katihar in Case No. C-II-09/01, refusing to discharge the petitioner.

On 27.04.2017, none appeared on behalf of the petitioner even after repeated calls. Thereafter the case has been fixed for today i.e. 01.05.2017, with a direction that if the learned counsel for the petitioner will not appear, the case will be disposed of on its own merit.

Learned counsel, whose name appears in the daily



cause list appears and states that the client has taken 'No Objection Certificate' from him and he has no instruction.

Learned APP for the State is present and submits that there is no illegality in the impugned order.

From the impugned order, passed by the learned Additional District & Sessions Judge, Katihar, it appears that seven witnesses have been examined before charge in the court below and all the witnesses including the informant and inquiry officer have fully supported the case of the prosecution. All the relevant papers including the seizure list of the railway articles kept unlawfully and not mentioned in balance book of the concerned railway register were marked exhibits, by the court below, and seized materials were also marked as material exhibit by the court below.

Learned Additional District & Sessions Judge, Katihar, has found sufficient materials for framing of charge against the petitioner for the offence under which cognizance has been taken by the court below, and has affirmed the order dated 06.04.2010 passed by Railway Magistrate, Katihar in Case No. C-II-09/01.

This second revision petition has been filed by the petitioner under the garb of Section 482 Cr.P.C by the learned Sessions Judge.

This Court on perusing the order passed by the



learned Additional District & Sessions Judge, Katihar, finds that there is no material irregularity in the impugned order.

This criminal miscellaneous application is, accordingly, dismissed.

(Sanjay Priya, J)

Ranjan/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

