

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56458 of 2017

Arising Out of PS.Case No. -551 Year- 2012 Thana -ROHTAS COMPLAINT CASE District-
SASARAM (ROHTAS)

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Ramesh Kumar, Son of Prasad Mahto @ Kavijee, Resident of Village-
Gopi Bigha, P.S.- Dehri, District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Santosh Kumar Singh, Sopn of Harihar Singh, Resident of Village-
Kanchanpur, P.O.- Kanchanpur, Police Station- Sasaram, District- Rohtas.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Kant Singh, Advocate.

For the Opposite Party/s : Mr. Bharat Bhushan, A.P.P.

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

ORAL ORDER

2 27-07-2018 This application under Section 482 of the Code of Criminal Procedure (for short 'Cr.P.C') has been filed by the petitioner for quashing the order dated 08.09.2017 passed by the learned Sessions Judge, Rohtas at Sasaram in Cr. Rev. No. 273 of 2017 by which the revision application filed against the order dated 05.07.2017 passed by the learned Sub-Divisional Judicial Magistrate, Rohtas, at Sasaram in Complaint Case No. 551 of 2012 seeking discharge from the case under Section 239 of the Cr.P.C has been dismissed.

In course of arguments, it was brought to my notice that by now charges have already been framed and certain witnesses



have also been examined.

Keeping in mind the fact that the trial of the case is at an advance stage as also that though the instant application has been filed under Section 482 of the Cr.P.C, the same is in the nature of second revision, which is barred under Section 397 (3) of the Cr.P.C., the application is dismissed.

(Ashwani Kumar Singh, J)

Pradeep/Sneha

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