

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19248 of 2014

Arising Out of PS.Case No. -6 Year- 2012 Thana -GAMAHARIYA District- MADHEPURA

- =====
1. Sudhir Choudhary @ Sudhir Kumar Choudhary, Son of Janardan Choudhary
 2. Ram Chandra Paswan, Son of Late Mahabir Paswan
 3. Nathuni Choudhary, Son of Late Harihar Choudhary
 4. Dinesh Yadav @ Dinesh Prasad Yadav, Son of Munga Lal Yadav @ Shanti Yadav.

All resident of Village- Babhani, Gram Panchayat Babhani, Police Station- Gamharia, District- Madhepura

.... Petitioner/s

Versus

1. The State of Bihar
2. Manju Devi, wife of Jagdish Khan, Resident of Village- Bhabhani Tola- Dahanu, Ward No. 1, Police Station- Gamhariya, District- Madhepura

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. R.N Jha (App)

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

3 05-02-2018 Heard learned counsel for the petitioners as well as learned counsel for the State.

Petitioners have preferred this quashing application for setting aside order dated 12.02.2014 passed by the Additional Sessions Judge 1st, Madhepura in Cr. Revision No. 26 of 2013 and Cr. Revision No. 95 of 2013. Having considered rival submissions, the Court finds no error in the impugned order as the case of the petitioners is that for the same offence, a complaint and



a police case have been filed and in both cases cognizance have been taken. In such eventuality, there is provision in the criminal procedure code provided under Section 210 Cr.PC. how to proceed and the revisional court has rightly directed to take recourse to that provision, so both cases require to be amalgamated in view of provision of Section 210 Cr.P.C., hence the Chief Judicial Magistrate, Madhepura is directed to proceed in the matter in view of the aforesaid observation.

With this observation, this application stands disposed of.

(Arun Kumar, J)

Sujit/-

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