

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.402 of 2015

Arising out of Case No. 175 year 2012 Thana-Complaint District- Muzaffarpur

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Amarnath Prasad, S/o Late Mukhlal Bhagat, Resident of Village- Barkurwa
Turki, P.S.- Kudhni, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar
2. Rakesh Kumar, S/o Name not known to the petitioner at present posted as Police Inspector, Railway Protection Force, Muzaffarpur Railway Station, P.S.- Muzaffarpur Town, District- Muzaffarpur.
3. Gorelal Singh, S/o Name not known to the petitioner at present posted as Assistant Police Inspector, R.P.F. Muzaffarpur Railway Station, P.S.- Muzaffarpur Town, District- Muzaffarpur.
4. Birendra Kumar Singh, S/o Name not known to the petitioner at present posted as Constable R.P.F. Muzaffarpur Railway Station, P.S.- Muzaffarpur Town, District- Muzaffarpur.
5. Vikas Kumar, S/o Name not known to the petitioner at present posted as Constable R.P.F. Muzaffarpur Railway Station, P.S.- Muzaffarpur Town, District- Muzaffarpur.
6. Diwakar Kumar, S/o Name not known to the petitioner at present posted as Constable R.P.F. Muzaffarpur Railway Station, P.S.- Muzaffarpur Town, District- Muzaffarpur.
7. Kamlesh Singh, S/o Name not known to the petitioner at present posted as Constable R.P.F. Muzaffarpur Railway Station, P.S.- Muzaffarpur Town, District- Muzaffarpur.

.... Opposite Parties/s

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Appearance :

For the Petitioner/s : Mr. Chandra Mauli Chaurasia

For the Respondent/s : Mr. Aditya Narayan Singh - 1(App)

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR

ORAL ORDER

5 07-03-2018 Heard learned counsel for the petitioner as well as

learned counsel for the State.

Limitation is condoned.

Learned counsel for the petitioner submits that

Opposite parties forcibly wanted to purchase the land and was

putting pressure so falsely implicated in a case of theft under the

Railway Property (Unlawful Possession) Act.



Having considered the submissions of both sides and on perusal of record, the Court finds that there is no ground for interference in the impugned order dated 02.09.2014 whereby the complaint No. 175 of 2012 was dismissed under Section 203 of Cr.P.C. as no ingredient of any offence is made out. Opposite parties are personnels of the Railway Protection Force and they had earlier instituted case of theft against the complainant as wooden logs of Railways were seized from his possession and being aggrieved of their action, this case has been filed but no *prima facie* case is made out from perusal of the complaint, statement of the complainant on oath and statement of enquiry witnesses. Accordingly, this application stands dismissed.

(Arun Kumar, J)

Sujit/-

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