

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.548 of 2015

=====

1. Rajesh Kumar Son of Mitraj Singh resident of village - Bhakhaura More,
P.O. & P.S. Daudnagar, District - Aurangabad

.... Petitioner/s

Versus

1. The State of Bihar
2. Shankar Kumar Son of Doman Choudhary resident of Mohalla -
Chhattari Darwaja, Ward No. 10, Daudnagar, District - Aurangabad

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Phulendra Kumar

For the Respondent/s : Mr. Md. Fahimuddin(App)

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 04-09-2018

This revision application has been preferred against the judgment dated 4.5.2015 of the Additional Sessions Judge, Aurangabad passed in Cr. Appeal No.44/12/05/14 by which he has allowed the appeal and the matter was remanded back to the learned trial court.

Submission of the learned counsel for the petitioner is that the appeal is itself not maintainable before the learned Sessions Judge as the trial court has acquitted the petitioner and the case is on the complaint petition. As such, S.L.A. is maintainable before the High Court itself and no appeal lies before the Sessions Judge and the impugned order is without jurisdiction.

Heard learned A.P.P. and in spite of notice and calls,



no body appears on behalf of O.P.no.2.

Having heard both sides and in view of the facts that appeal against the judgment is not maintainable before Sessions Judge, this application is allowed and the judgment dated 4.5.2015 passed in Cr. Appeal No.44/12/05/14 is set aside.

(Vinod Kumar Sinha, J)

chn/-

U			
---	--	--	--

