

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.16863 of 2016**

Arising Out of PS.Case No. -380 Year- 2010 Thana -COMPLAINT CASE District- JAMUI

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1. Manish Kumar Son of Awadhesh Pd. Singh,  
2. Kedar Prasad Singh, Son of Late Deoki Singh, Both are Resident of  
Village - Kaithwara, P.S. - Sikandra, District - Jamui.

.... .... Petitioner/s

Versus

1. The State of Bihar.  
2. Smt. Kanchan Kumari, W/o Binod Kumar Singh, Resident of Village -  
Kaithwara, P.S. - Sikandra, District - Jamui.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Hansraj, Adv.

For the Opposite Party/s : Mr. Uday Chand Prasad, (App)

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

2      25-06-2018                      This application under Section 482 of the Code of Criminal Procedure (for short 'Cr.P.C.') has been filed for quashing the order dated 23.04.2015 passed by the learned Sessions Judge, Jamui in Cr. Rev. No. 69 of 2013 whereby he has upheld the order dated 07.06.2013 passed by the learned Judicial Magistrate, Jamui in Complaint Case No. 380(C) of 2010 by which he has rejected the application for discharge filed by the petitioners under Section 245 of the Cr.P.C.

I have heard learned counsel for the parties and perused the record.

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. Even otherwise, I find that there is concurrent findings of fact by the courts below regarding sufficiency of materials against the petitioners to proceed with the case, which are not perverse.

In that view of the matter, I do not see any reason to interfere with the order impugned. The application, being devoid of any merit, is dismissed.

**(Ashwani Kumar Singh, J)**

Pradeep/-

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