

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9109 of 2015

Arising Out of PS. Case No.-60 Year-2011 Thana- SIKANDRA District- Jamui

Sudhir Singh S/o Sri Baleshwar Singh, Resident of Village- Mahoora, P.S.-
Sikandara, District- Jamui

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vinod Gautam with Mr. Bibhakar Kumar Advocates
For the State	:	Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL ORDER

2 06-05-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has moved the Court under Section
482 of the Code of Criminal Procedure, 1973 for the following
relief:

*“That, this is an application for quashing of the
order dated 18.09.2014 in Criminal Revision No. 38
of 2013 which was passed by Court of Sessions
Judge, Jamui which was filed against the order
dated 07.03.2013 and Case No. 283C/13, passed by
Chief Judicial Magistrate, Jamui.”*

3. The petitioner was the informant of Sikandra P.S.
Case No. 60 of 2011. However, upon investigation, the police
submitted final form not sending any of the accused for trial.
The petitioner had filed Protest-cum-Complaint Petition



opposing such clean-chit given by the police to the accused. The Chief Judicial Magistrate, Jamui by order dated 07.03.2013 had accepted the final form and closed the police case but the Protest-cum-Complaint was treated as an independent complaint case. Being aggrieved, the petitioner preferred Cr. Revision No. 38 of 2013 before the Sessions Judge, Jamui which was dismissed by order dated 18.09.2014 observing that the petitioner had not lost any opportunity as his protest was treated as a complaint and the petitioner was directed to appear and contest the case.

4. Learned counsel for the petitioner submitted that the matter be disposed off with liberty to the petitioner to pursue the complaint case in terms of the orders of the Courts below.

5. In view thereof, as prayed for, the application stands disposed off observing that the petitioner shall have full liberty to pursue the complaint case, pending before the Court below, in accordance with law.

(Ahsanuddin Amanullah, J)

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