

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 28918 of 2014

Arising Out of Case No. C.A. -1420 Year-2010 Thana- KATIHAR COMPLAINT CASE
District- Katihar

Rajendra Prasad Sah Son of Late Basudeo Sah, Resident of Village - Shabda,
Police Station - Falka, District - Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anil Chamariya Son of Sri Sita Ram Chamariya, New Market, Satkar Hotel,
R/o Mohalla - Bara Bazar Naya Tola Police Station - Sadar Katihar, District
- Katihar.
3. Sanjay Kumar Mishra Son of Sadanand Mishra, Resident of Mohalla - T.V.
Tower, Near R.M. Public School, Police Station - Sahayak Mirchaibari
Katihar, District - Katihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Binay Kumar and Mr. Md. Abdul Mannan Khan, Advocates
For the Opposite Party/s :		Ms. Sushmita Mishra and Mr. Surya Narayan Sah, Advocates

**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL JUDGMENT

Date : 08-03-2019

Heard learned counsel for the petitioner; learned A.P.P.
for the State and learned counsel for the opposite parties no. 2
and 3.

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 invoking
the inherent powers of this Hon'ble Court for
quashing the order dated 06.07.2013 in Cr. Rev. No.
10 of 2013 passed by learned Sessions Judge,*



Katihar allowing the revision application by setting aside the order dated 30.08.2012 in Case No. C.A. 1420 of 2010 by which the learned Magistrate took cognizance and issue summon against the opposite party nos. 2 and 3 to face trial under section 418 Indian Penal Code.”

3. At the very outset, learned counsel for the petitioner submitted that the petitioner is dead.

4. Learned counsel for the opposite parties no. 2 and 3 submitted that the challenge is to the order by which the Revisional Court had remanded the matter with regard to taking of cognizance. However, it was submitted that subsequently, after following the procedure in law, the Court has dismissed the complaint itself.

5. Learned counsel for the petitioner fairly submitted that nothing remains in the present case.

6. In view thereof, the application stands disposed off.

(Ahsanuddin Amanullah, J.)

P. Kumar

AFR/NAFR	
U	
T	

