

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No. 14298 of 2015**

Arising Out of PS. Case No.- Year-1111 Thana- District-

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1. Faiyaz Ahmad, S/o Abdul Sattar
  2. Most. Sagufta Khatoon, Wife of Late Gulam Sarvar, Both residents of Mohalla - Purani Bazar, Ward No. 3, Narkatiyaganj, P.S. - Shikarpur, Dist. - West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Smt. Matirani Devi, wife of Ranjan Pandey, resident of Village - Khor, Ward No. 5, Narkatiyaganj, P.S. - Shikarpur, District - West Champaran.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Aditya Nath Jha, Advocate

For the Opposite Party/s : Mr. Sanjay Kr. Sharma, APP

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**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR**  
**ORAL JUDGMENT**

**Date : 01-07-2019**

Heard learned counsel for the parties.

By order dated 22.08.2013 passed in Case No. 857 of 2013, Smt. Matirani Devi (Opposite Party No. 2) versus Faiyaz Ahmad and Others (Petitioners), whereby the learned Sub-Divisional Magistrate, Narkatiyaganj converted the proceeding under Section 144 Cr.P.C. into a proceeding under Section 145 Cr.P.C. The petitioners challenged the aforesaid order before the learned Sessions Judge in Cr. Revision No. 245 of 2013. The revision application was heard by the learned 3<sup>rd</sup> Additional Sessions Judge, West Champaran at Bettiah and by order dated 02.02.2015, the revision application was dismissed. Thereafter,



this application has been preferred, under Section 482 Cr.P.C., against the order dated 22.08.2013 aforesaid passed by the learned Sub-Divisional Magistrate, Narkatiyaganj as well as order dated 02.02.2015 passed by the revisional court.

Since second revision application is barred under sub-section 3 of Section 397 Cr.P.C., this application, under Section 482 Cr.P.C., in the guise of second revision application cannot be entertained because no case of failure of justice or abuse of the process of the court is made out. Accordingly, this application stands dismissed as not maintainable.

**(Birendra Kumar, J)**

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| AFR/NAFR          | N.A.       |
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