

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77292 of 2019

Arising Out of PS. Case No.-12 Year-2016 Thana- ANGARGHAT District- Samastipur

1. Janardan Rai, Son of Late Raso Rai (Panchayat Secretary Chaita South) (Retired) Block- Ujiyarpur Samastipur, Resident of Village - Bochaha, P. S.- Mohiuddin Nagar, Dist.- Samastipur.
2. Dineshwar Rajak, Son of Bhuel Baitha Panchayat Secretary, Dadhiya muryaro, Bolock- Ujiyarpur, Dist.- Samastipur, Resident of Village - Chandi, P.S.- Hajipur, Dist.- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Abhay Kumar, S/o Shri Kailashpati Srivastava, R/o Village-Rampurdi, P.S-Bishanpur, District-Darbhanga

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lakshmindra Kumar Yadav, Advocate
For the Opposite Party/s : Mr. Ajay Mishra, APP

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 02-12-2019 This application has been filed for quashing of the order dated 15.07.2019 passed by the Sessions Judge, Samastipur, in Criminal Revision No. 1220 of 2018, by which, the prayer to set aside the order dated 26.10.2018 passed by the Judicial Magistrate, 1st Class, Dalsingsarai, filed by the petitioners under Section 239 of Cr.P.C., has been rejected.

Submission of learned counsel for the petitioners is that petitioners have not participated in the appointment of the Teacher, rather, at that time, they were posted at different Panchayats, in spite of that cognizance has been taken against



them and their revision application has been dismissed.

On the other hand, learned APP for the State has opposed this application on the ground that at the stage of taking cognizance, the defence of the petitioners cannot be looked into. Moreover, this is the second revision application and their earlier revision application has been dismissed by the learned Sessions Judge.

In view of the facts, as stated above, this application stands dismissed.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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