

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77426 of 2019

Arising Out of PS. Case No.-237 Year-2016 Thana- MADHUBANI TOWN District-
Madhubani

=====

Lalan Kumar @ Lalan Prasad, Son of Late Yogendra Prasad Sah, Resident of Mohalla - Mahanthi Lal Chowk, Ramjanki Mandir, Madhubani, Ward No. 9, P.S.- Town Madhubani, District - Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mahavir Sah Son of Late Gauri Sao Resident of Mohalla - Mahanthi Lal Chowk, (Near Mahanthi Lal Pokhara), Ward No. 9, P.S.- Town, District - Madhubani.
3. Suraj Sah Son of Mahaveer Sah Resident of Mohalla - Mahanthi Lal Chowk, (Near Mahanthi Lal Pokhara), Ward No. 9, P.S.- Town, District - Madhubani.
4. Prem Kumar Sah @ Halhori Sah Son of Late Hari Sah Resident of Mohalla - Mahanthi Lal Chowk, (Near Mahanthi Lal Pokhara), Ward No. 9, P.S.- Town, District - Madhubani.
5. Ganesh Sah Son of Late Bashant Sah Resident of Mohalla - Mahanthi Lal Chowk, (Near Mahanthi Lal Pokhara), Ward No. 9, P.S.- Town, District - Madhubani.
6. Ram Chandra Sah Son of Late Bashant Sah Resident of Mohalla - Mahanthi Lal Chowk, (Near Mahanthi Lal Pokhara), Ward No. 9, P.S.- Town, District - Madhubani.
7. Giwachh Sah @ Laddu Sah Son of Late Bashant Sah Resident of Mohalla - Mahanthi Lal Chowk, (Near Mahanthi Lal Pokhara), Ward No. 9, P.S.- Town, District - Madhubani.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Manish Kumar No2, Adv.
Mr. Aryan Singh, Adv.
For the Opposite Party/s : Mr.Jharkhandi Upadhyay, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 28-11-2019 After hearing learned counsel for the petitioner and upon perusal of the orders passed by the learned Judicial Magistrate-1st Class as well as the learned revisional court, this Court finds no perversity in the impugned orders. The petitioner has invoked



jurisdiction of this Court under Section 482 Cr.P.C. against the revisional order of the learned court below and considering the scope and ambit of the consideration in such cases since this Court has come to a conclusion that no perversity seems apparent on the face of the record, this application is dismissed.

Learned counsel for the petitioner submits that so far as direction of the court below to issue summons to the petitioner under Section 182/211 I.P.C. is concerned, the petitioner may be granted liberty to seek his remedy limited to the order issuing summons to him.

Learned APP for the State is present and submits that to that extent the petitioner would be required to seek his remedy in accordance with law and not in the present jurisdiction.

This application is thus disposed off without interfering with the impugned orders as regards dismissal of the complaint petition which was initiated on the basis of the protest filed by the petitioner, however, liberty will be available to the petitioner to challenge the order issuing summons to him under Section 182/211 I.P.C.

(Rajeev Ranjan Prasad, J)

arvind/-

U		T	
---	--	---	--

