

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11282 of 2021**

Arising Out of PS. Case No.-150 Year-2015 Thana- MADHEPURA COMPALINT CASE
District- Madhepura

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SUBHASH KUMAR SINGH S/o Sri Shyamal Kishore Singh Resident of
Village-Khurhan, P.S.-Alamnagar and District-Madhepura.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Arun Kumar Circle Officer, Alamnagar, P.S.-Alamnagar, District-Madhepura.
3. Tarkeshwar Singh Revenue Clerk, Halka No.3, Mauja-Khurhan Milik, Police Station-Alamnagar, District-Madhepura.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Adv.
For the Opposite Party/s : Mr. Braj Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 05-05-2022 Heard the parties.

The present application under Section 482 CrPC has been filed for quashing the order dated 05.08.2019 passed in Cr. Revision No. 117/2015 by learned Sessions Judge, Madhepura by which an application preferred by the petitioner against the order dated 04.09.2015 passed by SDJM, Madhepura in Complaint Case No. 150/2015 has been dismissed.

The contention of the petitioner is that the learned Magistrate has taken cognizance against OP No.2 & 3 under Section 506 IPC only whereas from perusal of the complaint, it would be evident that other sufficient materials are available for



taking cognizance under Sections 420, 467, 468, 408 &120(B) of the IPC.

The fact of the case, according to the learned counsel for the petitioner, is that the name of the petitioner was recorded in Register-2 which has been changed by the Government Officials i.e., O.P. No. 2 and 3 herein.

I have perused the order passed by the learned Sessions Judge in Cr. Revision No. 117/2015 and from perusal of the same, it appears that the learned Sessions Judge, Madhepura, after going through lower court records as well as statement of the complainant on SA and the witnesses examined during course of inquiry under Section 202 CrPC, has come to the conclusion that there is no irregularity, illegality or impropriety in the order impugned. It further appears that several opportunity was given to the petitioner by the learned Sessions Judge but the petitioner did not appear before the Court and tried to linger the case.

In view of the fact that the learned Sessions Judge has passed the order after going through the lower court records and has found that there is no illegality in the order of learned Magistrate taking cognizance against the accused persons only under Section 506 IPC and the fact that in the garb of second



revision, the present quashing application has been filed by the
petitioner, I find no merit in the case. The same is, hereby,
rejected.

(Anil Kumar Sinha, J)

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