

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.24 of 2023

Arising Out of PS. Case No.-25 Year-2010 Thana- PATNA COMPLAINT CASE District-
Patna

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VIDYA BHUSHAN PANDEY Son of Late Ram Naresh Pandey R/o Mohalla-
Kailuchak, P.S- Masaurhi, Distt- Patna, Bihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sri Chandra Bhushan Pandey Son of Late Raj Ballabh Pandey R/o Mohalla-
Kaliuchak, P.S- Massaurhi, Distt- Patna Bihar
3. Smt. Radha Devi Wife of Sri Chandra Bhushan Pandey R/o Mohalla-
Kaliuchak, P.S- Massaurhi, Distt- Patna Bihar

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ranjeet Tiwary
For the Respondent/s : Mr.Md. Fahimuddin

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 28-02-2023 **I.A. No. 01/ 2023**

The instant I.A. has been filed for condoning the
delay in filing this revision petition.

Considering the reasons assigned in the I.A. , the
delay in filing the revision petition is condoned.

I.A. No. 01/ 2023 stands allowed.

Heard learned counsel for the petitioner.

This criminal revision application has been filed
against judgement dated 31.08.2022 passed by learned
Additional Sessions Judge-I, Masaurhi in Cr. Appeal No. 110 of
2018 whereby and whereunder he affirmed the judgement dated



12.03.2018 passed by learned S.D.J.M., Masaurhi, Patna in Complaint case No. 25(C)/ 2010.

Brief facts of the case is that father of petitioner died on 12.03.2007 leaving behind his only son, the petitioner, his mother and four daughters. On 09.11.2009 the petitioner came to know that O.P. No.2 by presenting himself as son of the father of petitioner instituted a complaint case No. 780/ 2009 in which petitioner got his bail on 12.11.2010 but the O.P. No.2 shown himself as son of Raj Ballabh Pandey in his educational documents, enrollment certificate of Bihar State Bar Council and in Title Suit No. 331/ 2021 instituted by him for partition of property of his father, Raj Ballabh Pandey. Thereafter, when the petitioner came to know that O.P. Nos.2 and 3 prepared forged documents to grab the property of the father of petitioner he filed the instant case, that is, Complaint Case No. 25 (C)/ 2010 and after enquiry learned Magistrate found a prima facie case u/s 419, 420 of the IPC.

It is submitted by learned counsel for the petitioner that without considering the documentary as well as oral evidence placed by the petitioner the impugned order has been passed. It is further submitted that both the courts below failed to appreciate the fact that four prosecution witnesses have fully



supported the prosecution case and also the fact that O.P. No.2 has filed a Title Suit showing his father's name as Raj Ballabh Pandey.

I have carefully perused the impugned order. From perusal of the orders passed by the appellate court as well as the trial court, it appears that considering the entire materials available on record the impugned order has been passed.

I do not find any illegality or irregularity in the impugned order, which requires any interference by this Court.

Accordingly, this criminal revision application stands dismissed.

(Prabhat Kumar Singh, J)

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