

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20842 of 2023

Arising Out of PS. Case No.- Year-0 Thana- District- Patna

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1. VEENA SINHA Wife of Umesh Prasad Sinha Resident of Vijay Nagar, Sheopuram Colony, Road No.- 01D, P.S.- Rupaspur, District - Patna.
 2. Umesh Kumar Sinha @ Umesh Prasad Sinha Son of Late Alakh Niranjana Prasad Resident of Vijay Nagar, Sheopuram Colony, Road No.- 01D, P.S.- Rupaspur, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pirthividev Kapadia @ Prithvi Kaparia @ Prithivi Paparia Son of Late Mahadeo Kapadia Resident of Vijay Nagar Sheopuram Colony, Road No.- 01B, P.S.- Rupaspur, District - Patna.
3. Sandeep Anand Son of Prithividev Kapadia Resident of Vijay Nagar Sheopuram Colony, Road No.- 01B, P.S.- Rupaspur, District - Patna.
4. Dipu Anand @ Vijay Anand Son of Prithividev Kapadia Resident of Vijay Nagar Sheopuram Colony, Road No.- 01B, P.S.- Rupaspur, District - Patna.
5. Akash Anand Son of Prithividev Kapadia Resident of Vijay Nagar Sheopuram Colony, Road No.- 01B, P.S.- Rupaspur, District - Patna.
6. Dipak Anand @ Deepak Kapadia Son of Prithividev Kapadia Resident of Vijay Nagar Sheopuram Colony, Road No.- 01B, P.S.- Rupaspur, District - Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhusudan Kumar, Advocate
For the Opposite Party/s : Mr. Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 16-10-2023 The petitioner in the present application under Section 482 of the CrPC is seeking quashing of an order dated 24.01.2023, passed in Criminal Appeal No. 13 of 2022, passed by learned Additional Sessions Judge-VII, Danapur, Patna whereby an order dated 06.03.2021 passed in Case No. 317(M)



of 2020 rendered by the Sub Divisional Magistrate, Danapur has been set aside.

2. Learned counsel for the petitioner, after some arguments, concedes that the petitioner has remedy under Section 397 of the CrPC by making an application for revision of the said order.

3. Accordingly this application is dismissed as withdrawn with a liberty to the petitioner to file a revision petition under Section 397 of the CrPC. It goes without saying that the petitioner shall be at liberty to take a plea that he was pursuing his case before this Court by making this application, for the purpose of condonation of delay in making of revision application.

4. This application stands dismissed as withdrawn.

(Chakradhari Sharan Singh, J)

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