

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40978 of 2015

Arising Out of PS. Case No.-533 Year-2014 Thana- KADAMKUAN District- Patna

Mahendra Ram S/o Late Sipahi Ram Resident of Village- Parmanpur, P.S.-
Dewath, Dist. Rohtas, Bihar.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : None

For the Opposite Party/s : Mr.Ram Shankar Dasspl, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 27-02-2023 No one appears on call.

The petitioner has moved this Court for quashing of the order dated 01.07.2015 passed by learned District & Sessions Judge, Patna in Criminal Revision No.410 of 2015 in connection with Kadamkuan P.S. Case No.533 of 2014 under Sections 406, 420/34 of the Indian Penal Code and under Section 3(viii)(x) of SC/ST Prevention of Atrocities Act.

As per the prosecution story, the informant alleged that petitioner is involved in cheating in several district in the State after floating various advertisements for recruitment, sale of share and opening of mine based industries and in the process poor people have been deprived of crores and crores of rupees. Accordingly, the FIR.

The police investigated the matter and issued warrant



against the accused persons.

Apprehending arrest they preferred anticipatory bail and in the meantime also preferred criminal revision petition before the learned Sessions Judge, Patna which was disposed of with following observations:

“Considering the submission made on behalf of the petitioners that the police had not produce material collected during investigation against the petitioners, hence the court below should not have issued non-bailable warrant of arrest against the petitioners. Accordingly, the impugned order is set aside and the matter is remitted back to the court below to pass necessary order after specifying that there was material against the petitioners to suspect that they have committed the crime alleged.”

From the order sheet of the learned Sessions Judge, Patna, it is clear that the impugned order was set aside and the matter was remitted back to the learned court to pass necessary order after specifying the materials that are against the



petitioner.

This Court does not find any error in the said order which is just and proper.

However, since no one has appeared, the petition stands dismissed for non-prosecution with a liberty to raise all the points before the Trial court at an appropriate stage.

(Rajiv Roy, J)

Prakash Narayan /-

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