

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44778 of 2015

Arising Out of PS. Case No.-118 Year-2009 Thana- SONEPUR District- Saran

-
1. Radha Rani wife of Dina Nath Prasad
 2. Rina Rani @ Manju Devi wife of Sanjay Prasad
 3. Sanjay Prasad son of Dina Nath Prasad
 4. Jay Prakash @ Pintu
 5. Mirtunjay Prasad @ Mintu Both (4 and 5) sons of Dina Nath Prasad
 6. Dina Nath Prasad son of Late Adalat Mahto, All 1 to 6 Residence of Radha Rani Bhawan, 2/6 Truck Road, P.O. P.s.- Durgapur, District- Bardhwan, West Bengal
 7. Ambika Prasad son of Late Adalat Mahto Residence of Village- Byagrahpur, New Bus Stand, East Side, P.S.- Jakkanpur, District- Patna

... .. Petitioner/s

Versus

1. State Of Bihar
2. Avinash Kumar Singh @ Bindeshwari Mahto son of Ramashish Mahto Resident of village- Saraiya Mathiya, P.S.- Dariyapur, District- Saran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : None.

For the Opposite Party/s : Mr.Shantanu Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 14-03-2023 No one appears on call.

This is an application for quashing of the order dated 16.12.2014 passed in Cr. Rev. No. 351 of 2012 by the learned Additional District and Sessions Judge-5, Chapra and conforming the order dated 5.9.2012 in C-1844 of 2011/ Enq. No. 377 of 2012 passed by the learned Judicial Magistrate, 1st Class, Saran (Chapra) arising out of Sonepur P.S. Case No. 118 of 2009 on behalf of the petitioners for the offences under



Sections 323, 420, 506 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

From perusal of the learned Sessions Judge order, it is clear that it only directed the Court of the learned Judicial Magistrate to pass a fresh order after setting aside its earlier order dated 5.9.2012.

This Court does not find any error in the said order dated 16.12.2014 passed by the learned Sessions Judge-5th, Saran, Chapra in Cr. Rev. No. 351 of 2012.

However, as no one has appeared on call, the petition stands dismissed for non-prosecution with liberty to raise all the points before the Trial Court at an appropriate stage .

(Rajiv Roy, J)

Ajay Singh/-

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

