

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37376 of 2015

Arising Out of PS. Case No.-43703 Year-2012 Thana- LAHERIYASARAI District-
Darbhanga

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Sangita Devi Wife of Sudhir Kumar Poddar, Resident of Kotwali Chowk,
Naka No. 5, P.S.- Sarai, District- Darbhanga

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Lalita Devi, Wife of Kamal Kumar Bhagat,
3. Kamal Kumar Bhagat, Son of Jai Kishori Bhagat, Both Resident of Bela Chowk, P.S.- L.N.M.U., District- Darbhanga

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amish Kumar, Adv.

For the Opposite Party/s : Mrs.Dr.Indiwar Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 24-02-2023 Heard learned counsel for the petitioner and the State.

This is an application for quashing of the order dated
20.2.2015 passed by the court of Adhoc Additional Sessions
Judge, 4, Darbhanga in Cr. Rev. No. 309 of 2014.

Mr. Amish Kumar, learned counsel for the petitioner
fairly submits that the matter dates back to a decade ago when
upon the FIR preferred by the petitioner, the learned Chief
Judicial Magistrate, Darbhanga took cognizance of the matter.
The accused thereafter challenged the same and vide an order
dated 21.2.2014, the learned Sessions Judge allowed the Cr.
Revision No. 134 of 2013 with the direction to look into the
matter afresh.

He further submits that on the said order, the learned
Chief Judicial Magistrate, Darbhanga vide an order dated



18.6.2014 held that the sufficient materials are not available to proceed further.

Aggrieved, the same was challenged vide Cr. Revision No. 309 of 2014 which was taken up by another court of Adhoc Additional Sessions Judge, IV in Cr. Revision No. 309 of 2014 who put a stamp on the fresh order of the learned Chief Judicial Magistrate, Darbhanga.

Learned counsel for the petitioner although submits that the order dated 21.2.2014 inasmuch as the learned Adhoc Additional Sessions Judge, IVth Darbhanga at the end of the order wanted the learned Chief Judicial Magistrate, Darbhanga to check its civil nature was not justified, he concedes that the fresh order taken by the learned Chief Judicial Magistrate, Darbhanga, was not interfered in subsequent Cr. Revision No. 309 of 2013.

In that view of the matter, lots of water has flown down the ganges, time has come to consign the file.

The petition accordingly stands dismissed.

(Rajiv Roy, J)

Ajay Singh/-

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