

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.620 of 2017

Arising Out of PS. Case No.-1427 Year-2014 Thana- SIWAN COMPLAINT CASE District-
Siwan

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Rajesh Kumar Singh Patel Son of Late Raghav Prasad Singh, Resident of
Muhalla Shivaji Nagar, Police Station- Siwan Town, District- Siwan

... .. Petitioner/s

Versus

1. State Of Bihar
2. Kumari Sunita Dayal @ Sunita Dayal Daughter of Parmeshwar Deyal
(C.D.P.O.) Goreakothi Block, Police Station- Goreakoth, District- Siwan

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Raghav Prasad, Advocate
For the Respondent/s	:	Mr. Md. Fahimuddin, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL JUDGMENT

Date : 24-03-2023

Heard learned counsel for the petitioner and learned
counsel for the State as well as learned counsel for the opposite
party no.2.

The present criminal revision application has been filed
for setting aside the order dated 14.02.2017 passed by
Additional Sessions Judge-V, Siwan in Cr. Revision No. 175 of
2014 by which the order dated 28.06.2014 taking cognizance by
the Judicial Magistrate-Ist Class, Siwan in Complaint Case No.
1427 of 2014 under Section 504 of I.P.C. has been set aside.

Counsel for the petitioner submits that the revisional court
at the time of scrutinized cognizance order has not considered
any document minutely and passed an evasive order by which
the petitioner is aggrieved.

Counsel for the opposite party submits that the

complainant is a practicing advocate whose sister was working as a supervisor under the accused and in the departmental work O.P. no.2 has used some hard word with the sister of the complainant, on this ground the present complaint has been lodged by the brother of the supervisor, who is an advocate of the civil court. The revisional court has tested the order and found the cognizance bad in law.

Counsel for the State submits that it is a case where advocate has filed for the grievances of his sister.

Upon going through the record, it transpires to me that the question of legality, correctness and propriety have not been raised. Cognizance order is always a prima facie order and it has been checked by the revisional court. Upon considering the S.A., enquiry witnesses, cognizance order and order of revision, I found no illegality in the said orders and therefore, the present criminal revision is hereby dismissed.

(Dr. Anshuman, J.)

ravishankar/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	