

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.840 of 2017

Arising Out of PS. Case No.- Year-1111 Thana- District-

-
-
1. Kamal Kishore Gupta @ Bhopat and Ors S/o Late Paras Sao
 2. Chandan Kumar
 3. Gabdu Kumar
 4. Lalan Kumar
 5. Chhotu Kumar (2) to (5) are sons of Kamal Kishore Gupta @ Bhopat All residents of Village - Kiul Dharmshala Brindavan, P.S. - Lakhisarai, District - Lakhisarai.

... .. Petitioner/s

Versus

1. State Of Bihar and Anr
2. Sadhu Gupta S/o Late Nathu Gupta Resident of Village - Kiul Dharmshala Brindavan, P.S. - Lakhisarai, District - Lakhisarai.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Parmanand Pd. Nr. Sahi, Adv.

For the Respondent/s : Mr. Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 25-04-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Counsel for petitioner submits that the present Cr.
Revision Application has been filed against the order dated
19.06.2017 passed in Cr. Appeal No.22 of 2016 by Ld. Sessions
Judge, Lakhisarai challenging the order dated 26.07.2016 passed
in Case No. 534(M) of 2015 by Sub-Divisional Magistrate,
Lakhisarai directing the petitioners to execute the bond for
keeping peace for a period of one year in proceeding under
Section 107 of Cr.P.C..

Counsel for petitioner submits that from the record
itself, it is clear that proceeding under Section 107 of Cr.P.C. has

initiated vide order dated 26.07.2016 and it was directed to produce bond for one year.

Counsel submits that being aggrieved and dissatisfied with the said order, the criminal appeal was preferred bearing Appeal No. 22 of 2016. Counsel submits that the said appeal was dismissed and subsequently, the said appeal was challenged before this Court in Cr. Revision No. 840 of 2017.

Counsel for State submits that under Section 107 of Cr.P.C. itself, it is stated that the execution of bond with or without sureties for keeping peace for such period cannot exceed one year. In the present case, the date of order is 26.07.2016 whereas 2023 has come and in that view of the matter, the present case become infructuous.

As such, this Court directs that from the date of passing the order under Section 107 of Cr.P.C. one year has already been lapsed and the order passed under Section 107 of Cr.P.C. has lost his force as one year has already been lapsed.

In this view of the matter, this Cr. Revision Application is hereby dismissed as become infructuous.

(Dr. Anshuman, J.)

prakashmani/-

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