

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.528 of 2019

Arising Out of PS. Case No.-346 Year-2013 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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NARESH RAM Son of Sonelal Ram Resident of Village- Jajpatti, P.S.-
Dalsinghsarai, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sukhdeo Ram Son of Late Baso Ram Resident of Village- Loknathpurganj,
P.S.- Dalsingh Sarai, District- Samastipur.
3. Ramchandra Ram Son of Late Ramu Ram Resident of Belsandi Tara, P.S.-
Bibhutipur, District- Samastipur.
4. Sanjay Kumar Son of Ramchandra Ram Resident of Belsandi Tara, P.S.-
Bibhutipur, District- Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rishikesh Ojha, Advocate
For the Respondent/s : Mr. Sanjay Kr.Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

3 29-01-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The instant revision is directed against an order of
acquittal passed by the learned Judicial Magistrate, 1st Class, at
Dalsingsarai, Samastipur on 20.02.2019.

3. In view of the proviso to Section 372 of the Cr.P.C.,
an order of acquittal is appealable at the instance of the defect of
complainant, thus revisional Court has no jurisdiction to
entertain this revision application.

4. However, the petitioner is at liberty to file Criminal



Appeal before the Appellate Court, subject to the law of limitation.

5. Accordingly, the instant revision application is thus, dismissed.

(Bibek Chaudhuri, J)

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