

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50268 of 2018

Arising Out of PS. Case No.-29612 Year-2014 Thana- PATNA COMPLAINT CASE District-
Patna

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Rakesh Raushan, S/o Anil Sharma, Proprietor Sri Uchhaya Ashtariya Sikeha Sansthan, Patna at present residing at Bishnu Manki Balajee Enclave, Block B, Flat No. 205, Railway Under Road, East Lohanipur, P.S.- Kadamkuan, District- Patna.

... .. Petitioner/s

Versus

1. State Of Bihar
2. Prabhat Kumar Singh, S/o Late Ram Bharosa Singh, R/o Mohalla-Puskalaya Lane, East Lohanipur, P.O. and P.S. Kadamkuan, District- Patna-80002.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : None
For the Opposite Party/s : Mr. Sri Narsingh Tanti, APP

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CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

2 01-05-2024 No one appears on behalf of the petitioner.

2. No accommodation is sought for.

3. The instant revision is pending since 2018, therefore, I proceed to dispose of the instant application. The petitioner, by filing an application under Section 482 of the CrPC prayed for quashing an order dated 13th June 2018 passed by the learned Sessions Judge, Patna whereby and whereunder he confirmed the order dated 15th May 2018 passed by the learned Chief Judicial Magistrate at Patna in Complaint Case No. 29612 of 2014 for the offence punishable under Section 138 of the Negotiable Instrument Act. The order dated 15th may 2018



states that petitioner's bail in the aforesaid complaint case was cancelled. The petitioner challenged the said order in revision bearing Cr. Revision 272 of 2018. The learned Sessions Judge dismissed the said revision and affirmed the order of the learned Chief Judicial Magistrate, Patna of cancellation of bail. The petitioner has filed the instant application under Section 482 of the CrPC for quashing of the order dated 13th June 2018.

4. On perusal of the statement made in the application as well as the documents filed with the instant revision, this Court finds that against an order of cancellation of bail, the petitioner has the remedy to pray for fresh bail under Section 437/439 of the CrPC, as the case may be. When there is specific and efficacious relief available in the Court, saving clause under Section 482 of the CrPC for application of inherent power of this Court cannot be issued and granted.

5. In view of the above legal position, the instant case is dismissed on merit.

(Bibek Chaudhuri, J)

Suraj Dubey/-

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