

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.701 of 2019**

Arising Out of PS. Case No.-48 Year-2018 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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DHANESHWAR MOCHI Son of Jageshwar Mochi Resident of Village -
Nowkothi, P.S.- Nowkothi, District - Begusarai

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Rohit Kumar Not Known Resident of Village - Nowkothi, P.S.- Nowkothi,
District - Begusarai

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai, Advocate

For the Respondent/s : Mr. Ram Sevak Choudhary, APP

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CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

4 16-01-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. It is the grievance of the petitioner/complainant that he filed a case against six accused persons under Section 323, 354, 427, 504(B) of the Indian Penal Code and Section 27 of the Arms Act read with Section 3(i)(r)(s)(w) of the SC/ST (POA) Act. The learned Magistrate examined the complainant and all the witnesses on behalf of the complainant and took cognizance of the offence, thereafter, he issued process against Arbind Singh, Babusaheb Singh, Ashok Singh, Devendra Prasad Singh and Ram Uday Singh @ Chhotelal Singh, cognizance of offence was not taken against accused Rohit Kumar and no summons



was issued against him.

3. Learned advocate for the petitioner has placed before this Court the statement of the complainant and the other witnesses, all of them made statement before the learned Magistrate implicating Rohit Kumar along with other accused persons.

4. In view of such circumstance, the instant revision is disposed of directing the learned Magistrate to reconsidered the case of the complainant from the stage under Section 200 of the Cr.P.C. if it is found that there is sufficient ground of proceeding against Rohit Kumar also he shall issue process under Section 204 of the Cr.P.C. against Rohit Kumar.

5. With the above, direction the instant revision application stands disposed of.

(Bibek Chaudhuri, J)

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