

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.1037 of 2019

Arising Out of PS. Case No.-1352 Year-2018 Thana- PATNA COMPLAINT CASE District-
Patna

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LALAN PRASAD Son of Nathu Yadav Resident of Village Mohni Pokha,
P.S. - Naubatpur, Distt - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mahendra Yadav Son of Late Badri Rai Resident of Village Mohni Pokha,
P.S. - Naubatpur, Distt - Patna.
3. Binesri Yadav Son of Jagdeo Rai Resident of Village Mohni Pokha, P.S. -
Naubatpur, Distt - Patna.
4. Dinesh Yadav Son of Jagdeo Rai Resident of Village Mohni Pokha, P.S. -
Naubatpur, Distt - Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Dhirendra Kumar Jha
For the Respondent/s : Mr.Shailendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

2 01-02-2024 1. In a criminal case, even *prima facie* the following
ingredients are to be proved:-

- (i) When the incident took place;
- (ii) where the incident took place;
- (iii) how the incident took place; and
- (iv) what was the incident.

2. In petition of complaint, the complainant stated that
the incident took place on his land. In his statement on solemn
affirmation, he stated, on the contrary, that the incident took
place inside his house. In the complaint, he stated that the



accused persons took away a gold chain from his wife. In his statement on solemn affirmation, he stated that the accused persons took away Rs. 5,000/- by breaking open a box kept inside in the house. P.W. 2 did not see the occurrence. P.W. 1 also stated that the incident took place inside the house of the complainant. Though the complainant remained silent about the theft of a golden neck chain from the possession of P.W. 1, she stated that the accused persons took away one gold chain.

3. In view of such contradictions, the petition of complaint was dismissed under Section 203 of the Cr.P.C..

4. I do not find any reason for interference against the said order.

5. The instant Revision is thus dismissed.

(Bibek Chaudhuri, J)

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