

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.1371 of 2019

Arising Out of PS. Case No.- Year-0 Thana- District- Vaishali

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GUDDU KUMAR CHAUDHARY Son of Prem Nath Chaudhary Resident of Village-Sarai Berai, P.O. and P.S.-Sarai, District-Vaishali.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Kamni Devi Wife of Guddu Kumar Chaudhary, Daughter of Bindeshwar Chaudhary Resident of Village-Sarai Berai, P.O. and P.S.-Sarai, District-Vaishali, at present resident of Village-Mohalla Agarpur Cinema Road Near Shakuntla Talkie Police Station-Lalganj, District-Vaishali.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Adv.
For the Respondent/s : Mr. Nirmala Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

7 14-03-2024 The instant revision is filed after a lapse of more than one year and seven months.

2. An application under Section 5 of the Limitation Act has been filed stating, inter alia, that the application under Section 125 of the Cr.P.C. was disposed of on 7th February, 2018 ex parte, but the petitioner came to know about the ex parte order, passed in the revisional application only on 14th June, 2019. Thereafter, the petitioner filed the instant revision on 22nd October, 2019.

3. It is submitted by the petitioner that after getting the information of the disposal of the maintenance proceeding on 7th February, 2018, he applied for certified copy of the order



on 15th July, 2019. However, the petitioner fell ill suffering from Jaundice and the Doctor advised him to take bed rest for six months. Thereafter, after six months he has filed the instant revision. The petitioner has not filed any document in support of his illness. In para-8, he did not even state the name of the learned Advocate with whom he met and gave necessary instruction to draft the instant revision.

4. In view of such circumstances, this Court is of the view that the petitioner has not been able to make out a case for condonation of delay.

5. Accordingly, the application under Section 5 of the Limitation Act is dismissed.

6. As an application under Section 5 of the Limitation Act is dismissed, the revisional application is also automatically dismissed.

(Bibek Chaudhuri, J)

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