

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.1385 of 2019

Arising Out of PS. Case No.-55 Year-2000 Thana- PHULWARIYA District- Gopalganj

DINANATH PRASAD Son of Late Yamuna Prasad Resident of Village-Bathuwa Bazar, Police Station-Fulwaria, District-Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Yogendra Prasad Son of Late Yamuna Prasad Residence of Village-Bathuwa Bazar, Police Station-Fulwaria, District-Gopalganj.
3. Suresh Prasad Son of Late Yamuna Prasad Residence of Village-Bathuwa Bazar, Police Station-Fulwaria, District-Gopalganj.
4. Birendra Prasad Son of Late Yamuna Prasad Residence of Village-Bathuwa Bazar, Police Station-Fulwaria, District-Gopalganj.
5. Mosmat Sunaina Kunwar Wife of Late Surendra Prasad Residence of Village-Bathuwa Bazar, Police Station-Fulwaria, District-Gopalganj.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Shambhu Prasad Yadav, Advocate
For the Respondent/s : Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

7 08-04-2024 It is submitted by the learned advocate for the petitioner that against the order of acquittal passed in a criminal case, the petitioner being the informant/victim has filed a criminal revision under Section 397/401 of the CrPC. However, the impugned order is appealable under the *proviso* to Section 372 of the CrPC, therefore, the learned counsel for the petitioner has prayed for conversion of the instant revision to an appeal.

2. The instant revision be converted to an appeal.

3. The Office is directed to do the needful.



4. The petitioner is at liberty to file a memorandum of appeal in addition to the application under Section 397 read with Section 401 of the CrPC within seven days of this order.

5. In view of the above order, the instant revision be treated as disposed of.

(Bibek Chaudhuri, J)

Suraj Dubey/-

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