

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3198 of 2019

Arising Out of PS. Case No.-2377 Year-2013 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

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Md. Aamir Khan Late Md. Iqbal Khan Resident of Mohalla - Tatarpur, P.S.-
Tatarpur, District - Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Md. Gulrej Ahmad Khan Shafique Ahmad Khan @ Boss Resident of Mohalla - Maulanachak, P.S.- Mojahidpur, District - Bhagalpur
3. Bibi Masroor Rahman Md. Gulrej Ahmad Khan @ Aashi Resident of Mohalla - Maulanachak, P.S.- Mojahidpur, District - Bhagalpur
4. Md. Parwez Ahmad Khan @ Pajju Late Shafique Ahmad Khan @ Boss Resident of Mohalla - Maulanachak, P.S.- Mojahidpur, District - Bhagalpur
5. Md. Hashim Uddin Late Bashiru Uddin Resident of Mohalla- Sadaruddinchak, P.S.- Habibpur, District - Bhagalpur
6. Md. Shamsuddin Late Bashiru Uddin Resident of Mohalla- Sadaruddinchak, P.S.- Habibpur, District - Bhagalpur
7. Md. Arzoo Md. Nisar Resident of Mohalla- Picture Palace Gali No. 1, Shah Market, P.S.- Kotwali, District - Bhagalpur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Md. Najmul Hodda, Advocate
For the Opposite Party/s	:	Mr. Ramchandra Singh
For the O.P. No. 3	:	Mr. Pankaj Kumar, Advocate
		Mr. Sadanand Prasad Deo, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

5 08-04-2025 Heard the learned counsels for the parties.

2. This is an application for quashing of the order dated 29.08.2018 passed in Cr. Rev. no. 15 of 2018 by the learned Sessions Judge, Bhagalpur by which he has dismissed the revision petition by affirming the order dated 20.07.2016 passed by the learned A.C.J.M.-IX, Bhagalpur by which the



learned Magistrate has dismissed the complaint petition filed under Section 203 due to non-appearance of the complainant.

2. The submission of the learned counsel for the petitioner is that by the impugned order dated 29.08.2018, the learned Sessions Judge, Bhagalpur has dismissed the revision petition by affirming the order dated 20.07.2016 passed by the learned A.C.J.M.-IX, Bhagalpur by which the learned Magistrate has dismissed the complaint for non-prosecution.

3. There is no bar in filing a fresh complaint if the complaint has been dismissed for non-prosecution.

4. In view of the above, this application is dismissed with liberty to the petitioner to file a fresh complaint in an appropriate Court.

(Sandeep Kumar, J)

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