

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.146 of 2020

Arising Out of PS. Case No.-203 Year-2019 Thana- KATIHAR NAGAR District- Katihar

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Chandani Kumari, Wife of Late Anil Kumar Paswan, Resident of Mohallah-
Amla Tola, Ward No.29, P.S.-Katihar(Town), District-Katihar.

... .. Petitioner

Versus

1. The State of Bihar
2. Sanjay Kumar Paswan, Son of Arjun Paswan, Resident of Village-Rauniya,
P.S-Barari, District-Katihar, presently resided at Mohallah-Amla Tola, Ward
No.29, P.S-Katihar (Town), District-Katihar.
3. Poonam Devi, Wife of Sanjay Kumar Paswan, Resident of Village-Rauniya,
P.S-Barari, District-Katihar, presently resided at Mohallah-Amla Tola Ward
No.29, P.S-Katihar (Town), District-Katihar.
4. Sangeeta Kumari, Daughter of Om Prakash Paswan, Resident of Mohallah-
Amla Tola, Ward No.29, P.S-Katihar (Town), District-Katihar.
5. Kunal Kumar @ Kunal Paswan, Son of Om Prakash Paswan, Resident of
Mohallah-Amla Tola, Ward No.29, P.S-Katihar (Town), District-Katihar.

... .. Respondents

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Appearance :

For the Petitioner	:	Mr. N.K. Agrawal, Sr. Advocate Ms. Diksha Kumari, Advocate Mr. Kumar Rajdeep, Advocate
For the State	:	Mr. Upendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

7 15-07-2025 The present Criminal Revision Petition has been

preferred against the impugned order dated 23.11.2019 passed



by learned C.J.M, Katihar in Katihar P.S. Case No. 203 of 2019 whereby cognizance of offence punishable under Section 306, 328 read with Section 34 of the Indian Penal Code has been taken against two accused persons.

2. The petitioner, who is the Informant, being aggrieved by this order filed the present Criminal Revision Petition seeking addition of charge under Section 302 IPC.

3. However, learned counsel for the petitioner further informs that in this case, charge has been already framed and some of the prosecution witnesses have already been examined. She again states that she has gone through **Md. Makbool Alam Vs. State of Bihar and Anr.** as reported in **2025 SCC OnLine Pat 2313** decided by this Court and she is convinced that it would be better to move an application under Section 216 Cr.PC before learned Trial Court itself for alteration of charge rather than pressing the present petition, and hence, she is seeking permission to withdraw the present petition so that she can move appropriate application under Section 216 Cr.PC before learned Trial court.

4. Accordingly, the present petition is dismissed as withdrawn with liberty to the petitioner to move appropriate application under Section 216 Cr.PC before the learned Trial



Court and if such application is moved by the petitioner, learned Trial Court is requested to decide the application before proceeding further.

5. L.C.R. has already been received. Send it back to the court concerned forthwith with a copy of this order.

(Jitendra Kumar, J.)

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