

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.607 of 2022

Arising Out of PS. Case No.-3134 Year-2011 Thana- MUZFFARPUR COMPLAINT CASE
District- Muzaffarpur

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Archna @ Archana D/o Jitendra Kumar Resident of Railway House No. E/9B
Emli Road Railway Clony, P.S- Kazimohammadpur, Dist- Muzaffarpur. At
present Bibiganj Bramhpura Ward no. 7, P.S- Sadar, Dist- Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Gauri Shankar Son of Harikan Thakur R/o Gorai, P.S.- Chakmehsi, Dist-
Samastipur

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Yogendra Kumar Singh, Advocate. Mr. Ratneshwar Prasad, Advocate.
For the State	:	Ms. Madhuri Lata, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

- 4 15-07-2025 The present revision petition has been preferred against the impugned judgment of acquittal dated 21.05.2022 passed by learned Additional Sessions Judge, Muzaffarpur, in Cr. Appeal No. 55 of 2019 arising out of Trial No. 892 of 2019 whereby learned Appellate Court has acquitted the appellant/convict Gauri Shankar, setting aside the judgment of conviction and order of sentence dated 4.5.2019 passed by learned S.D.J.M., Muzaffarpur, in Complaint Case No. 3134 of 2011 corresponding to Trial No. 1173 of 2017 whereby the learned Trial Court had found the accused guilty under Section 498-A of the Indian Penal Code and had sentenced him to R.I.



for one year and fine of Rs.5,000/- and in case of default to pay the fine, he was directed to undergo additional simple imprisonment for three months.

2. Being aggrieved by the impugned judgment of acquittal, the petitioner Archana @ Archana, the complainant/victim has preferred the present criminal revision.

3. In view of proviso to Section 372 Cr.PC, the present Revision Petition is not maintainable. The victim/complainant should have preferred a Criminal Appeal against the impugned judgment of acquittal. The detailed law has been discussed by this Court in this regard in **Suman Devi Vs. State of Bihar and Anr.** as reported in **2025 SCC OnLine Pat 1862/MANU/BH/0406/2025/AIROnline 225 PAT 224.**

4. However, under Section 401(5) Cr.PC this petition is converted into Criminal Appeal.

5. Office is directed to do necessary correction in the petition and list before appropriate Bench after obtaining necessary permission of Hon'ble the Chief Justice.

(Jitendra Kumar, J)

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