

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.694 of 2022

Arising Out of PS. Case No.-2 Year-2022 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Kaimur (Bhabua)

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Mohan Prasad, Son Of Begnath Ram, R/O Village- Deuriya, P.S.- Nuaon,
Distt.- Kaimur at Bhabua

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Ramesh Kumar, Son Of Mahatim Singh, R/O Village- Bandipur, P.S.-
Ramgarh, Distt.- Kaimur (Bhabua)
3. Rajesh Singh, Son Of Mahatim Singh, R/O Village- Bandipur, P.S.-
Ramgarh, Distt.- Kaimur (Bhabua)
4. Mahatim Singh, Son Of Late Jodhan Singh, R/O Village- Bandipur, P.S.-
Ramgarh, Distt.- Kaimur (Bhabua)

... .. Respondent/s

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Appearance :

For the Petitioner : Mr. Ramakant Ram, Advocate
For the State : Ms. Usha Kumari 1, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 10-07-2025 The present Criminal Revision petition has been preferred against the impugned order dated 27.06.2022, passed by learned Additional Sessions Judge-cum-Spl. Judge, Kaimur at Bhabua in Complaint Case No. 02 of 2022, whereby learned Special Judge has dismissed the complaint under Section 203 Cr.PC, finding that no *prima facie* case is made out as per the materials on record.

2. I heard learned counsel for the petitioner on the point of Admission.

3. Learned counsel for the petitioner submits that the



complaint filed by the petitioner has been erroneously dismissed by learned Special Judge, Kaimur at Bhabua under Section 203 Cr.PC. He further submits that as per the complaint and statements of the inquiry witnesses under Section 200 Cr.PC, a *prima facie* case is made out and despite sufficient materials, the complaint has been dismissed under Section 203 Cr.PC.

4. I considered the submission advanced by learned counsel for the petitioner and perused the materials on record.

5. A copy of the statements of the inquiry witnesses has been filed along with the petition, besides a copy of the complaint.

6. The case of the complainant is that his tempo bearing Registration No. BR45P5359 was stolen on 06.11.2021 and after inquiry, he came to know that the same was stolen by the accused persons/opposite parties. Hence, he went to the accused persons for demanding the tempo and then they promised that they would return. However, subsequently, when he went to the house of the accused persons for reminding them to return the tempo, he was abused by caste name and assaulted by *farsa* and *danda*, causing injury on his person.

7. From the perusal of the statements of the inquiry witnesses, it clearly transpires that the allegation of the



complainant/petitioner is not supported by any cogent and plausible evidence. Despite allegation that he has been assaulted by *farsa* and *danda*, no injury report has been annexed with the complaint. Moreover, as per the complainant, he has not seen that the accused persons/opposite parties have stolen his tempo. Moreover, it is admitted case of the complainant that there is previous enmity between the complainant and the accused persons.

8. Hence, I find that there is no illegality or infirmity in the impugned order.

9. Accordingly, the present petition is dismissed *in limine*.

(Jitendra Kumar, J)

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