

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.12522 of 2016**

Arising Out of PS. Case No.-285 Year-2014 Thana- KATIHAR COMPLAINT CASE  
District- Katihar

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1. Ambarish Banerjee @ Ambrish Banerjee, S/o Ashish Banerjee, resident of Prafulla Niketan, Bidyapith Road, Deshbandhupara (S), P.O- Siliguri Town, P.S.- Siliguri, District- Darjeeling, West Bengal.
  2. Kandarpa Goshwami @ Kandarpa Goswami, S/o Sri Krishnapada Goswami, null
  3. Anindita Goshwami @ Anindita Goswami, W/o Kandarpa Goshwami, both resident of Gokhel Road By Lane, Near Ambition Computer Centre, Aurobinda Pally, P.O- Rabindra Sarani, P.S.- Siliguri, District- Darjeeling, West Bengal.

... .. Petitioners

Versus

1. State of Bihar
2. Dilip Kumar Diwakar, S/o Late Anupal Anup, resident of Mohalla- Vijay Nagar, P.O and P.S. and District- Katihar having his office at Satyam Complex, 1st Floor, Dr. Rajendra Prasad Road infront of LIC Office, Katihar, P.O. and P.S.- Katihar, District- Katihar.

... .. Opposite Parties

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**Appearance :**

|                     |   |                          |
|---------------------|---|--------------------------|
| For the Petitioners | : | None.                    |
| For the State       | : | Mr. Parmanand Kumar, APP |

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR**  
**ORAL ORDER**

34    25-06-2026                      Nobody is present on behalf of the Petitioner.

However, learned counsel for the State is present.

2. As such, the present petition is liable to be dismissed. Even otherwise, the present petition is not maintainable because the same has been filed by the Petitioner for setting aside the order dated 19.06.2014 passed in C.A. No.285 of 2014 by the Judicial Magistrate, I<sup>st</sup> Class, Katihar, by which learned Magistrate has taken cognizance of the offence



punishable under Section 420 and 120(B) I.P.C against the  
Petitioner.

3. Hence, the Petitioner has efficacious alternative  
remedy to invoke Revisional Jurisdiction against the impugned  
order.

4. Hence, the present petition is dismissed as not  
maintainable with liberty to the Petitioner to prefer Criminal  
Revision against the impugned order, if so advised.

**(Jitendra Kumar, J.)**

Chandan/-

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