

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1137 of 2022

Arising Out of PS. Case No.-2603 Year-2011 Thana- PATNA COMPLAINT CASE District-
Patna

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RAJEEV RANJAN @ RINKU JI Son of Late Virendra Kumar Proprietor
Shiv Cement Bhandar Resident of New Bypass Road, New Alkapuri, Police
Station- Beur, District- Patna. At present residing at Azad Enclave, Flat
No.302 (B), Van Vihar Colony, Police Station- Phulwari Sharif, District-
Patna.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. RAVINDRA SINGH Son of Late Birja Singh Managing Partner of M/S Raj
Construction, Resident of Village- Sheikhpura, Durga Ashram Gali, Police
Station- Shastri Nagar, District- Patna.
3. DIWAKAR KUMAR Son of Late Arya Nand Singh M/S Raj Construction,
Resident of Village- Sheikhpura, Durga Ashram Gali, Police Station- Shastri
Nagar, District- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Gopal Govind Mishra, Adv.
For the State	:	Ms.Madhuri Lata, APP
For OP Nos. 2 and 3	:	Mr.Sunil Kumar Singh, Adv.

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

5 12-02-2026 Heard the learned counsel for the petitioner as well

the learned APP for the State and the learned counsel for OP

Nos. 2 and 3.

2. This is an application for quashing the order dated
19.12.2019 passed in Criminal Revision Case No. 623 of 2016
by the learned Additional Sessions Judge-IX, Patna, whereby
and whereunder the learned court below dismissed the revision
application, which was directed against the order dated



27.06.2016 passed by the court of the learned Judicial Magistrate, First Class, Patna in Complaint Case No. 2603(C)/2011 under Sections 323, 379 and 406 of the Indian Penal Code and Section 138 of the Negotiable Instruments Act.

3. Despite giving opportunities for two years, the petitioner / complainant did not produce any witness before charge. Having no option, the learned Judicial Magistrate, vide order dated 27.06.2016, passed in Complaint Case No. 2603 of 2011, dismissed the complaint petition.

4. The petitioner / complainant preferred Criminal Revision Case No. 623 of 2016 against that order which was also dismissed by the learned Additional Sessions Judge-IX, Patna vide order dated 19.12.2019. While dismissing the criminal revision, the learned Sessions Judge has mentioned that from 16.11.2013 to 18.04.2016, the record was running for evidence before charge but the petitioner / complainant did not produce any evidence.

5. From perusal of the materials available with the record, it appears that despite proper opportunities given to the petitioner / complainant, he could not produce evidence and that is why the complaint petition was dismissed and consequently, the revision was also dismissed.



6. I do not see any reason to interfere with the
impugned order. Accordingly, this criminal miscellaneous
petition is dismissed.

(Nawneet Kumar Pandey, J)

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