

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No. 823 of 2002

Harishankar Dwivedee Son of late Harihar Nath Dwivedee resident of B-15,
Pamposh Enclave, Greater Kailash, New Delhi.- 110048.

.... Petitioner/s

Versus

1. Saryu Roy Son of late K. P. Roy, resident of Village & P.O. Khanita, P.S. Itarhi, District- Buxar, presently residing at Narayan Bhawan, East Lohanipur, P.S. Kadamkuan, District- Patna.
2. The State of Bihar.

.... Opposite Parties

Appearance :

For the Petitioner/s : Mr.
For the State : Mr Matloob Rab, A.P.P.
For the Opposite Parties : Mr. Kamendra Prasad Singh,

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date: 01-03-2012

Ahsanuddin
Amanullah, J.

Nobody appears on behalf of the petitioner

when the case is called out. Learned A.P.P. for the State and Mr. Kamendra Prasad Singh, learned counsel for opposite party no. 1 are present.

On several previous occasions the case was called for hearing but due to non appearance of anybody on behalf of the petitioner, by way of indulgence this Court had adjourned the case. However, today also nobody appears on behalf of the petitioner to press this application.

This revision application is directed against the Appellate Judgment and order dated 28.05.2002 passed by the VIth Additional Sessions Judge, Patna in Cr. Appeal No. 44 of 2000 by which the judgment and order convicting the

petitioner for offence under Section 500 of the Indian Penal Code and sentence of fine of Rs. 5,000/- by the Judicial Magistrate, 1st Class, Patna in Complaint Case No. 1340 (C)/1996, Trial No. 135 of 2000 dated 01.02.2000, has been affirmed.

The case was admitted for hearing and the lower Court records were called for and the same have since been received and are on record.

Earlier also by order dated 05.12.2003 the case was dismissed due to non prosecution though learned counsel for the opposite party no. 1 was present. However, the same was restored, but today also nobody appears to press this application. Learned counsel for the opposite party no. 1 and learned A.P.P. for the State have assisted this Court in the matter.

After going through the order and judgment of the Trial Court as well as the Appellate Court and the materials on record, this Court does not find any infirmity in the trial Court Judgment as well as the appellate Court Judgment upholding the conviction and sentence.

In view of the aforesaid, this application being devoid of merit, stands dismissed.