

**IN THE COURT OF THE PRINCIPAL DISTRICT &  
SESSIONS JUDGE, AURANGABAD**

Present:- Rajeev Ranjan Kumar  
Principal District & Sessions Judge,  
Aurangabad.

Aurangabad, dated:- 09.04.2026

**Criminal Revision No. 18 of 2026**

Anandi Singh @ Abhai Kishore Singh @ Anandkishor Singh, age about 69, S/o Late Ram Salotar Singh, R/o Vill- Bhagavanpur, Mungiya, P.S-Tandawa, Aurangabad, Bihar

..... Revisionist/Petitioner

Versus

The State of Bihar

..... Respondents/O.Ps.

For the revisionist/petitioner :- Shri Vijay Kumar Singh Id. Advocate

For the Respondent/O.P. :- Sri Ajay Kumar, Id. P.P.

**ORDER**

**09.04.2026**

(1) This criminal revision petition has been preferred against the order dated 13.10.2022 passed by the Learned Court of Additional Chief Judicial Magistrate III, Aurangabad whereby the learned Court has taken cognizance u/s 144, 448, 436 of the Indian Penal Code and Section 27 of Arms Act & 17 C.L. Act and issued processes against the revisionist under Sections 82 & 83 of the Cr.P.C

(2) This criminal revision petition has been preferred on the ground that the learned court below passed the impugned order in a mechanical manner, without any rationale or reasoning. It is stated that the name of the revisionist surfaced during course of investigation, and the police submitted a charge-sheet against him under several sections without informing the revisionist or his family members. The revisionist was never served with summons, nor were any other legal processes for securing his appearance duly followed. The revisionist had no knowledge of the case and was unaware of the proceedings. Despite the issuance of summons,ailable warrants, and non-ailable warrants

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by the learned court below, the same were never executed against the revisionist. From a bare perusal of the entire order sheet, it is evident that neither the service report nor the execution report is available on record. Further, the learned court below, vide order dated 13.10.2022, directed the issuance of processes against the revisionist under Sections 82 and 83 of the Cr.P.C. Hence, it is prayed that the order dated 13.10.2022 passed by the learned court below be set aside.

**(3).** Heard and perused the record.

**(4).** After due consideration of the submissions advanced and by perusal of the record, this Court finds that the impugned order dated 13.10.2022 suffers from manifest infirmities. It appears that the learned court below proceeded in a perfunctory and mechanical manner while directing issuance of processes under Sections 82 and 83 of the Cr.P.C. The record does not disclose any cogent reasoning or application of judicial mind, particularly with regard to the mandatory compliance of procedural safeguards relating to service and execution of summons and warrants. Notably, there was no proper service of summons upon the revisionist, nor is there any service report or record of notice available on file, which is clearly contrary to the procedure mandated under the Cr.P.C. In the absence of any material indicating due service or execution, the issuance of coercive processes under Sections 82 and 83 of the Cr.P.C. is not only premature but also unsustainable in the eyes of law.

**(5)** Consequently, in view of the foregoing discussion, the present criminal revision is hereby allowed. The impugned order dated 13.10.2022 passed by the learned Additional Chief Judicial Magistrate-III, Aurangabad is set aside. The matter is remanded back to the learned court below for fresh consideration in accordance with law, after ensuring due compliance of all procedural requirements and affording adequate opportunity to the revisionist.

(Sessions Judge)  
Aurangabad