

In The Court of Addl. Sessions judge-III, Hilsa
District - Nalanda
Criminal Revision No- 105 of 2025

1. Dwarika Paswan s/o Late Kailash Paswan aged about 68 years,
2. Ramesh Paswan s/o Dwarka Paswan aged about 24 years,
Both, R/o village- Kaji Bazar paswan toli, P.S.- Hilsa, Distt.- Nalanda
.....Petitioners.

V/s

1. State of Bihar
2. Pramod Paswan s/o Jamuna Paswan
R/o village- Kaji Bazar paswan toli, P.S.- Hilsa, Distt.- Nalanda
.....Respondent.

ORDER
DATED-18-07-2026

1. The Petitioners / Revisionists herein above has preferred this revision against the order dated 30/06/25, in Complaint Case No. 280c/24, whereby the Ld. Judicial Magistrate found prima-facie case u/s 323, 504, 341/34 of I.P.C. against the petitioners and summoned them to face trial.

2. Ld. Counsel for the petitioners / revisionists state that the order of Ld. Magistrate is based on conjectures and surmises, passed in a very mechanical and routine manner. There is no material against the revisionists. The order is not speaking and not maintainable in the eye of law. Accordingly prayed to set-aside the order dated 30/06/25 passed by the Ld. Magistrate.

3. Heard learned counsel for the petitioner /revisionist and for State of Bihar and perused the material available on record. Ld. Counsel for petitioner argued that the ld. J.M has not applied his legal approach and passed the order in very mechanical and routine manner. Although there was no sufficient grounds for proceed further but he found prima-facie case u/s 323, 504, 341/34 of I.P.C. against the petitioners and summoned them to face trial. Ld. Counsel



submitted that the order passed by Id. J.M. is erroneous, suffers from impropriety, not maintainable and bad in law. At last Id. Counsel for revisionists prayed for setting aside the order dated 30/06/25 passed by Ld. J.M. and / or to pass any other order / orders which may deemed fit and proper for the ends of justice. In contra Id. A.P.P. argued that the order passed by Id. J.M. is well versed in both aspects either factual or law and accordingly prayed to dismiss the revision petition filed by revisionist.

4. On perusal of complaint case it transpires that the complainant filed this case against revisionists with allegation of using filthy language, wrongful restraint, causing simple hurt, trespass, theft and outraging the modesty. The complainant himself get examined in this case who supported the complaint petition and his statement was also corroborated by the enquiry witnesses namely Rani Kumari, Sunita Devi, Puniya Devi and Golu Kumar. Although all the enquiry witnesses are either the family member of the complainant or his relative but since the incident took place at 08:00 p.m. in night there oral account can't be discarded. It is well settled that only a prima-facie case has to be seen at the time of passing order under section 204 of Cr.P.C. and no meticulous examination of witnesses is needed at this stage. After considering the facts and material available on record I find that the impugned order dated 30/06/25, passed by the learned magistrate by which he found prima- facie case under section 323, 504, 341/34 of I.P.C and summons the accused persons/revisionists to face trial is sound on all counts and needs no interference.

5. Thus in view of the discussions made above I find that the impugned order dated 30/06/25, passed by the learned magistrate is sound on all counts and needs no interference. Accordingly the criminal revision is dismissed. O/c is directed to send a copy of this order along with L.C.R to learned court below.

Dictated
Deepak Kumar Yadav
(Sri Deepak Kumar Yadav)
District & Addl. Sessions Judge-III,
Hilsa, Nalanda

