

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.745 of 2013

Arising Out of PS.Case No. -null Year- null Thana -null District- BUXAR

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1. Shobha Yadav @ Shobhanath Yadav, son of Pitamber Yadav,
 2. Sharda Nand Yadav, son of Bhola Yadav,
 3. Ramjeet Yadav, son of Bisun Yadav, all resident of village- Nainijore Sajiwan Kadera, P.S- Nainijore, Distt- Buxar

.... Petitioner/s

Versus

1. The State Of Bihar
2. Ishwar Dayal Yadav @ Ishwar Dayal Yadav, son of late Rijhan Yadav, resident of village- Nainijore Sajiwan Kadera, P.S- Nainijore, Distt- Buxar.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Satyapal Singh, Advocate

For the Respondent/s : Dr. Indiwari Kumari, APP

Mr. Madanjeet Kumar, Advocate

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 07-04-2015

1. The Petitioners seek quashing of the order dated 17.04.2013 by which the *Ad hoc* Additional Sessions Judge, II, Buxar, in Cr. Revision No.271 of 2010 remanded Case No.07 of 2000 which was a proceeding under Sections 144/145 Cr. P. C. to the SDO, Dumraon, Buxar, for passing a fresh order.

2. Since Sections 144/145 Cr. P.C. are to be invoked for emergent situation and the matter has been kept pending for last fifteen years, I am inclined to set aside the said order.

3. Accordingly, the order dated 17.04.2013 passed by the *Ad hoc* Additional Sessions Judge, II, Buxar, in Cr. Revision No.271 of 2010 is hereby set aside.

4. However, if any party is of the view that there is apprehension of breach of peace, he may invoke the provision in accordance with law.

5. The application stands allowed.

(Anjana Prakash, J)

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