

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.3729 of 2013

Arising Out of PS.Case No. -0 Year- null Thana -null District- VAISHALI (HAJIPUR)

Sundar Devi, W/o Late Rajeshwar Rai, Resident of Village-Lawapur Narain, P.S.-
Mahnar, District-Vaishali. Petitioner

Versus

1. The State of Bihar.
2. Smt. Lakhi Devi W/o Gupteshwar Sah
3. Nagina Devi, W/o Parikshan Sah,
4. Laxmi Sah S/o Parikshan Sah, all are resident of Village-Lawapur Narain, P.S.-
Mohanpur, District -Vaishali.

.... Opposite Parties

Appearance :

For the Petitioner/s : Ms. Kumari Sujata Sinha, Advocate

For the Opposite Party/s : Dr. Mayanand Jha, APP

For the O.P. No. 2 : Mr. Mahendra Thakur, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 13-05-2015

Heard learned counsel for the petitioner and learned
counsel for the State.

This application under Section 482 of the Code of
Criminal Procedure has been filed for quashing the order dated 16th
August, 2012 passed by the learned 1st Additional Sessions Judge,
Vaishali at Hajipur in Criminal Revision No. 155 of 2004/38 of
2004 by which he has dismissed the revision application and

confirmed the order dated 22.05.2004 passed by the learned Executive Magistrate in Case No. 320 of 1999 whereby he has declared the possession of the opposite parties in a proceeding under Section 145 of the Code of Criminal Procedure.

Though the present application has been filed under Section 482 of the Code of Criminal Procedure but the same is in the form of second revision which is barred under Section 397(3) of the Code of Criminal Procedure. Moreover, I do not find any illegality or irregularity in the impugned order passed by the Executive Magistrate or the order passed by the revisional Court.

Regard being had to the facts and circumstances of the case, the application, being devoid of any merit, is dismissed.

(Ashwani Kumar Singh, J.)

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