

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.48574 of 2012

Arising Out of PS.Case No. -0 Year- null Thana -null District- BHABHUA (KAIMUR)

Kamlesh Tiwary, adopted S/O Late Ganesh Tiwary, R/O Village - Rehi, Police Station - Sonhan, District - Kaimur at Bhabhua.

.... Petitioner/s.

Versus

1. The State Of Bihar.
2. Ramesh Tiwary, S/O Late Ramdeo Tiwari, R/O Village - Rehi, Police Station - Sonhan, District - Kaimur at Bhabhua.

.... Opposite Party/s.

Appearance :

For the Petitioner : Mr. Achal Kumar Sinha, Advocate.
For the State : Mr. Dashrath Mehta, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL JUDGMENT

Date: 13-03-2015

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

2. This application, under Section 482 of the Code of Criminal Procedure, has been filed to quash the Judgment dated 27.08.2012 passed in Criminal Revision No.11 of 2012/26 of 2012 by the court of 2nd Adhoc Additional Sessions Judge, Kaimur at Bhabhua, allowing the aforesaid Criminal Revision, preferred by the opposite party no.2, by setting aside the order dated 17.01.2012 passed in Case No.77 of 2011 by the court of S.D.O. Bhabhua in a proceeding under Section 144 of the Code of Criminal Procedure declaring the possession of the land in dispute in favour of the

petitioner, with a liberty to initiate a fresh proceeding in case of apprehension of breach on the spot.

3. From perusal of the impugned Judgment, I find no illegality amounting to an abuse of the process of the court. Accordingly, this application stands dismissed.

(Rajendra Kumar Mishra, J)

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