

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.46 of 2004

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1. Mohan Singh, son of late Sukhdeo Singh
2. Rajendra Mahto
3. Pappu Singh
Both sons of Yugal Mahto
4. Dara Singh, son of Ramashray Mahto
5. Tuntun Mahto, son of Bangali Mahto
6. Ram Kumar Mahto, son of Ramlali Mahto
7. Prakash Mahto, son of Swarup Mahto
8. Baiju Mahto, son of Jagdeo Mahto
9. Raju Mahto, son of Harihar Mahto
All r/o village Katauli, P.S. Hulasganj, Distt. Jehanabad

.... Petitioner/s

Versus

1. The State of Bihar
2. Suren Paswan, son of Ram Sewak Paswan

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rewti Kant Raman, Adv.

For the Respondent/s : Mr.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 23-06-2015

Heard learned counsel for the Petitioners and the State.

The Petitioners seek revision of the order dated 20.1.2004 by which the Additional Sessions Judge, (FTC-1) Jehanabad has refused to discharge the Petitioners in Sessions Trial No. 94 of 2003.

The case of the Informant is that on the date of occurrence, both the Parties came upon the lands and thereafter stated to forcibly cultivate the same and destroyed the wheat crops after firing each other.

It has been submitted that admittedly, the land belongs to the Petitioners and the other Party had destroyed the same as also no one was injured in the transaction. All documents show that the Petitioners had bona fide right to the said land.

Considering such submission, the application is allowed and the Proceeding including the order dated 20.1.2004 passed by the Additional Sessions Judge, Jehanabad (FTC-I), in connection with Sessions Trial No. 94 of 2003, is hereby set aside.

However, this order shall not prejudice any Party in any manner.

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(Anjana Prakash, J)

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