

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No. 705 of 2005

Arising out of P.S. Case No. -0 Year- null Thana -null
District- KHAGARIA

- =====
1. Punit Mukhia, Son of Ram Khelawan Mukhia.
 2. Lakhnan Mukhia, Son of Soman Mukhia.
 3. Rajendra Mukhia, Son of late Lakshmi Mukhia.
 4. Kapileshwar Mukhia, Son of Ram Pukar Mukhia.
 5. Bano Mukhia, Son of late Aano Mukhia.
 6. Ram Keshav Pandit, Son of late Munshi Pandit.
 7. Amarjeet Mukhia, Son of Phuleshwar Mukhia.
 8. Pavitra Mukhia, Son of Ram Prasad Mukhia.
 9. Kedar Sada, Son of late Bulak Sada.
 10. Ramdeo Sada, Son of late Bulak Sada.
 11. Saudagar Sada, Son of Kali Sada.
 12. Dhongal Sada (Mukhia), Son of late Bachchan Mukhia.
 13. Ram Pukar Sada, Son of Chhitnu Sada.
 14. Umesh Mukhia, Son of Saryug Mukhia.
 15. Ram Saran Mukhia, Son of late Jhhoti Mukhia.
 16. Panchu Mukhia (Sada), Son of Bane Sada.
 17. Sakindar Mukhia, Son of late Saryug Mukhia.
 18. Ram Khelawan Mukhia, Son of late Gangu Mukhia,
- All are resident of Village-Phultora, P.S.-Allauli, District-Khagaria.

.... Petitioner/s

Versus

The State of Bihar.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr. Adv.
Mr. R.S. Rai, Adv.

For the Respondent/s: Mr. APP.

=====

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 11-08-2015

The Petitioners seek revision of the judgment of conviction in appeal dated 29.07.2005 passed by the 1st Additional District & Sessions Judge, F.T.C.-III, Khagaria in Criminal Appeal No. 23/01, by which he has affirmed the judgment dated 24.05.2001 passed by the Sub-

divisional Judicial Magistrate, Khagaria in G.R. No. 1312 of 1996 (Tr. No. 417 of 2001), by which he has convicted the Petitioners under Sections 147, 447 and 427 IPC and sentenced them to undergo S.I. for six months, three months and six months respectively.

It has been submitted that there was a land dispute and, hence, in such circumstances no offence under Sections 144, 447 and 427 IPC would be made out.

Having gone through the impugned judgment, I am inclined to agree with the submission raised on behalf of the Petitioners.

Hence, the judgment of conviction in appeal dated 29.07.2005 passed by the 1st Additional District & Sessions Judge, F.T.C.-III, Khagaria in Criminal Appeal No. 23/01, by which he has affirmed the judgment dated 24.05.2001 passed by the Sub-divisional Judicial Magistrate, Khagaria in G.R. No. 1312 of 1996 (Tr. No. 417 of 2001) is, hereby, set aside.

The Application stands allowed.

Vikash/-

(Anjana Prakash, J.)

U		T	
---	--	---	--