

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2130 of 2013

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1. Lalan Kumar Singh, Son of Late Ram Dewan Singh, Resident of Village Dashratha, P.S. Beur, District Patna.
 2. Rajesh Kumar alias Khanua, Son of Late Ram Dewan Singh, Resident of Village Dashratha, P.S. Beur, District Patna.
 3. Chinttu Kumar, Son of Late Anil Singh, Resident of Village Dashratha, P.S. Beur, District Patna.
 4. Tikki Kumar, Son of Late Anil Singh, Resident of Village Dashratha, P.S. Beur, District Patna.

.... Petitioners

Versus

1. The State of Bihar.
2. Ajay Kumar Singh, Son of Late Parmanand Singh, Resident of Mohalla Anjaanpur Colony, BPCL, 70 Feet Road, Ajay Bhawan, Bishunpur Palari, P.S. Beur, District Patna.

.... Opposite Parties

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Appearance :

For the Petitioners : Shri Amit, Advocate
For the State : Shri Manoj Kumar, APP

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CORAM: HONOURABLE SHRI JUSTICE DHARNIDHAR JHA
ORAL ORDER

3 04-05-2015

Heard.

The petition appears infructuous in the light of Section 144 Cr.P.C. However, the grievance of the petitioner is that by referring to the police report and placing reliance upon it, the court had recorded the finding of possession in favour of the respondent/opposite party which is not permissible under law.

As pointed out, the order has elapsed 60 days and is of no force and no court could take cognizance of any observations made by the S.D.M., Patna, Sadar in the order dated 08.11.2012 passed in Case No. 1501 (M) of 2012.

I may be permitted to borrow some of the observations of some past judges that it is an executive order having no adverse impact on the title of the person.

The petition is dismissed with the above observation.

(Dharnidhar Jha, J.)

Sanjay/-

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