

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.40390 of 2013

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Vinay Kumar Sharma, son of Late Surendra Sharma, resident of village-
Pandeypur, P.S. Bihta, District- Patna.

.... (Petitioner)-Petitioner Ist Party.
Versus

1. The State of Bihar.
2. The Sub Divisional Officer, Hajipur (Vaishali).
3. Suresh Ray.
4. Sarvesh Ray.
5. Ramesh Ray.

All sons of Late Baliram Ray.

Resident of village- Senduary, P.O.- Senduari, P.S. Hajipur, District- Vaishali

.... (O.P. 2nd Set).....Opposite Parties.

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Appearance :

For the Petitioner : Mr.

For the Opposite Parties : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL JUDGMENT

Date: 15-03-2016

Heard.

2. This application, under Section 482 of the Code of Criminal Procedure, is directed against the order dated 03.08.2013 passed in Case No.M1/1037/2013, whereunder the Sub Divisional Magistrate, Hajipur dropped the proceedings under Section 144 of the Code of Criminal Procedure, arriving at the conclusion that there is land dispute in between the parties regarding the validity of will deed and sale deed and the case regarding the will deed is pending in the Hon'ble Apex Court and, as such, the case is out of jurisdiction of his court.

3. From perusal of the impugned order, I find no illegality therein calling for interference with the same in an extraordinary jurisdiction under Section 482 of the Code of Criminal Procedure of this Court. Accordingly, this application stands dismissed.

(Rajendra Kumar Mishra, J)

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