

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 28471 of 2010

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

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1. Ram Prasad Gupta.
 2. Binda Devi, W/o Ram Prasad Gupta. Both resident of Village-Sobhan, P.S.-Simri, Post Sobhan, District-Darbhangha. At present residing at Mohalla Ganga Sagar, P.S.-Laheria Sarai, District-Darbhangha.
 3. Jyoti Kumar.
 4. Rajeev Ranjan. Both minor sons of Satya Narayan Prasad under the Guardianship of their father Satya Narayan Sah, resident of Village-Ranti, P.S.-Raj Nagar, District-Madhubani. At present at Mohalla Ganga Sagar, P.S.-Laheria Sarai, District-Darbhangha.
 5. Jawahar Lal Sah, S/o Late Ram Sah, Resident of Village-Sarisab, P.S.-Pandaul, District-Madhubani, At present at Mohalla-Ganga Sagar, P.S.-Laheria Sarai, District-Darbhangha.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Dr. Sanjay Kumar Singh, S/o Late Yogendra Kumar Singh, Resident of Mohalla Ganga Sagar Alalpatti, P.S.-Laheria Sarai, District-Darbhangha.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijayeshwar Pd. Adv.

For the Opposite Party/s: Mr. APP.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 01-02-2016

The Petitioners seek quashing of the order dated 19.05.2010 passed by the 3rd Additional Sessions Judge, Darbhanga in Cr. Rev. No. 138 of 2003 by which it has confirmed the order dated 15.10.2001 and 10.04.2003 passed by the Sub-divisional Magistrate, Darbhanga in M.R. No. 1089 of 2001 by which he has issued show-cause to the Petitioners.

It has been submitted on behalf of the Petitioners that the subject-matter of dispute is a dwelling house and there was no question of initiation of proceeding under Section 145 Cr.P.C.

Considering that the proceeding is of the year 2001 it would not be proper for this Court to entertain this application any longer. The same is disposed off with the direction to the Court below to consider the aforesaid contention and conclude the proceeding positively within a period of four months from the date of receipt of this order without granting unnecessary adjournment to any party.

With the aforesaid observations, the Application stands disposed off.

(Anjana Prakash, J.)

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