

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.39089 of 2013

=====

Smt. Laljhari Devi, wife of Sri Siddhi Rai, resident of village- Ramdatahi, P.O.- Prasonda, P.S.- Sahpur (Karnamepur), District- Bhojpur.

.... Petitioner.

Versus

1. The State of Bihar through S.D.O. Jagdishpur, Bhojpur.
2. S.D.O. Jagdishpur, Bhojpur.
3. Santosh Mishra, son of Sri Shiv Narayan Mishra, resident of village- Ramdatahi, P.O.- Prasonda, P.S.- Sahpur (Karnamepur), District- Bhojpur.
4. Deeapak Kumhar, son of Ram Bihari Kumhar.
5. Barmeshwar Kumhar, son of Brij Bihari Kumhar.
Both resident of village- Mahuar, P.S.- Nainijor, District- Buxar.

.... Opposite Parties.

=====

Appearance :

For the Petitioner : Mr. Aditya Narayan Singh, Advocate.
For the State : Mr. Jharkhandi Upadhyay, A.P.P.
For the Opposite Party Nos.3 to 5 : Mr. A.K. Pandey, Advocate.

=====

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL JUDGMENT

Date: 15-03-2016

Heard the parties.

2. This application under Section 482 of the Code of Criminal Procedure is directed against the order dated 26.03.2012 passed in Case No.42 of 2012 in a proceeding under Section 144 of the Code of Criminal Procedure whereunder the Sub Divisional Magistrate, Jagdishpur, Bhojpur, dropped the proceeding of Section 144 of the Code of Criminal Procedure arriving at the conclusion that the crops over the land in dispute is being cultivated by the members of the second party/opposite party no.3.

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. However, if the petitioner is aggrieved, he may take legal recourse before the appropriate forum in accordance with law.

(Rajendra Kumar Mishra, J)

P.S./-

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