

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21967 of 2014

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1. Wasuki Nath Singh @ Bhikhari Singh
 2. Arun Kumar Singh, Both Sons of Late Saryug Singh, Residents of Village-Rampur Ratnakar @ Sarsai, P.S.-Sarai, District-Vaishali.

.... Petitioners

Versus

1. Sandeep Kumar, Son of Ram Nihora Singh, Residents of Village-Rampur Ratnakar @ Sarsai, P.S.-Sarai, District-Vaishali.
2. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioners	:	Mr. Shrinandan Pd. Singh, Mr. Surendra Prasad Singh, Mr. Naresh Nandan, Mr. Ashok Kumar
For the Opposite Party	:	Mr. Anuradha Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 21-06-2016 Heard.

This application has been filed under Section 482 of Cr.P.C. to quash the order dated 28.01.2014 passed in Case No. 700 of 2012, whereunder the S.D.M., Mahua consigned the application of petitioners filed under Section 145(5) Cr.P.C. to drop the proceeding with direction to the parties to file their written statements, whereunder the petitioners were the members of the second party and O.P. was the member of first party.

Learned counsel appearing on behalf of the petitioners submits that, in fact, the first party/O.P. has filed Land

Dispute Case No. 109 of 2013-14 under the Bihar Land Disputes Resolution Act, 2009 before the Court of D.C.L.R. regarding the same land as such impugned order rejecting the application of the members of second party-petitioner to drop the proceeding of Section 145 Cr.P.C. is bad in law.

On going through the impugned order, I do not find any illegality amounting to abuse of process of Court for interference in extraordinary jurisdiction under Section 482 Cr.P.C. Accordingly, this application is dismissed. However, the petitioner is at liberty to raise his points in his written statement as required by the learned S.D.M., Mahua in Case No. 700 of 2012.

(Rajendra Kumar Mishra, J)

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