

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.75 of 2015

Arising Out of PS.Case No. -null Year- null Thana -null District- WESTCHAMPARAN(BETTIAH)

1. Raj Kishore Rai @ Raj Kishore Kumar Rai Son of Late Ramayodha Rai, Resident of Village - Gonauli Bettiah, P.S. - Bettiah Town (M), District - West Champaran at present resident of new colony, Bettiah, P.S. - Bettiah Town, District -West Champaran.

.... Petitioner/s

Versus

1.The State of Bihar.
2. Sugriv Sah Son of Prayag Sah,
3. Harishankar Sah Son of Gauri Sah
4. Lal Bihari Sah Son of Late Laxmi Sah
5. Pawhari Sah Son of Late Laxmi Sah All are resident of village - Purani Gonauli Bettiah, P.S. - Bettiah Town (M), District - West Champaran.

.... Respondent/s

Appearance :

For the Petitioner/s : Mr.

For the Respondent/s : Mr.

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 17-05-2016

The petitioner seeks revision of the revisional order dated 26.11.2014 passed by the Addl. District and Sessions Judge IV, Bettiah, West Champaran in Cr. Revision No. 144 of 2014 by which he had directed the S.D.O, Bettiah to pass fresh order in Case No. 535M of 2013.

This Court by hearing the matter had issued notice to the Opposite Parties and stayed the operation of the order.

The Opposite Parties have filed a petition seeking modification of the order on the ground that during pendency of the

proceeding a suit was filed with regard to the same subject matter and it was under these circumstances that the Revisional Court had directed the S.D.O to pass fresh order in the light of the subsequent development.

Either way the order of the revisional Court is not committal and does not favour anyone.

Having considered the aforesaid I would be inclined to agree that ultimately the matter will have to be remitted on this ground therefore the application is disposed off with a direction to the S.D.O, Bettiah to pass an order within four weeks from the date of receipt of a copy of this order after hearing both the parties.

(Anjana Prakash, J)

Prakash/-

AFR/NAFR	NAFR
CAV DATE	NA
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