

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.16253 of 2015

Arising Out of PS.Case No. -null Year- null Thana -null District- AURANGABAD

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1. Surith Singh son of Late Raja Singh
 2. Ram Layak Singh son of Late Raja Singh
 3. Sheomurat Singh son of Late Raja Singh
 4. Ram Swaroop Singh son of Late Raja Singh
 5. Chandrakanta Devi @ Chandra Kanti Kunwar sife of Late Tapeswar Singh
 6. Awadh Singh son of Rajdeo Sing

All are resident of village- Gortara, P.S. - Obra, District- Aurangabad

.... Petitioner/s

Versus

1. The State of Bihar
2. Neelam Kunwar wife of Late Damodar Singh, resident of village- Gortara, P.S.- Obra, District- Aurangabad

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yogendra Kumar Singh, Advocate

For the Opposite Party/s : Ms. Madhuri Lata, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 11-03-2016

By way of the present application preferred under section 482 of the Code of Criminal Procedure (for short “CrPC”), the petitioners seek quashing of the order dated 3.1.2015 passed by learned Sub Divisional Magistrate, Daudnagar in Case No.1532 of 2014 whereby a proceeding initiated under section 144 of the CrPC has been converted into a proceeding under section 145 CrPC.

2. I have heard learned counsel for the petitioners and perused the order impugned.

3. I find that the learned Magistrate while passing the

impugned order has given a categorical finding that he is satisfied from the record that the dispute likely to cause breach of peace concerning a particular piece of land exists within his local jurisdiction and, hence, the proceeding under section 144 CrPC has been converted into a proceeding under section 145 CrPC.

4. In my view, there is absolutely no illegality or irregularity in the order impugned passed by the learned Magistrate. Accordingly, the application, being devoid of any merit, is, hereby, dismissed.

(Ashwani Kumar Singh, J)

Md.S./-

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