

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.683 of 2016

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

- =====
1. Abhay Kumar son of Late Narendra Prasad Singh
 2. Anil Kumar son of Sri Lal Narayan Sharma
- Both residents of village- Sacchia, P.S.- Kurtha, District- Arawal.

.... Petitioner/s

Versus

1. The State of Bihar
 2. Uday Narayan Sharma son of Late Umesh Pra
- Both residents of village- Sacchai, P.S- Kurtha, District rawal.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Neeraj Kumar, Advocate

For the Respondent/s : Mr. Arun Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 07-09-2016

This revision application is directed against the order dated 11.1.2016 passed by the Executive Magistrate, Arwal in Case No.889 of 2014 whereby he has refused to initiate a proceeding under Section 147 of the Code of Criminal Procedure (for short 'CrPC') on the application filed on behalf of the petitioners.

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

3. It would be apparent from the record that neither from the application of the petitioners nor from the inquiry report submitted by the Circle Officer, the Executive Magistrate could notice about a dispute with regard to alleged use of land which is likely to cause

breach of peace.

4. In that view of the matter, if the Magistrate has refused to entertain the application filed under Section 147 of the CrPC, no illegality can be found in the impugned order.

5. Accordingly, the application, being devoid of any merit, is dismissed.

(Ashwani Kumar Singh, J)

Md.S./-

AFR/NAFR	NAFR
CAV DATE	
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