

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.87 of 2015

=====

Md. Yusuf, son of Md. Aiyub Ali, resident of village Garhia ghat, Police Station Krityanand Nagar, District Purnea

.... Petitioner/s

Versus

1. The State of Bihar
2. Md. Musa Ali, son of Hasimuddin
3. Md. Shahjahan, son of Late Raisuddin Ali
4. Md. Sajjad, son of Late Raisuddin Ali
5. Md. Mujibur Rahman, son of Late Raisuddin Ali
6. Md. Sharif, son of Late Raisuddin Ali
7. Md. Manzoor, son of Late Raisuddin Ali

2 to 7 are resident of village Garhia Ghat, Police Station Krityanand Nagar, District Purnea

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Jitendra Prasad Singh

For the Respondent/s : Mr. B.N. Pandey (App)

=====

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

2 03-03-2017

The petitioner is aggrieved by an order, dated 27.11.2014, passed by learned Additional Sessions Judge III, Purnea, in Criminal Revision No. 100 of 2012, whereby he has set aside an order, dated 30.11.2011, passed by learned Sub Divisional Magistrate, Purnea Sadar, Purnea, in Case No. 387M of 2010, under Section 145 of the Code of Criminal Procedure, 1973.

The order has been set aside in view of the pendency of the civil suit between the parties.

I do not find any error in the impugned order, requiring interference in revisional jurisdiction.



It is however, made clear that any finding, recorded either by the Sub Divisional Magistrate or by the Court below, shall not prejudice the case of the either parties over the question of possession or title in the proceeding in which claim of possession and title are yet to be adjudicated upon.

This application is accordingly dismissed.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

U	✓	T	✓
---	---	---	---

