

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43659 of 2013

Arising Out of PS.Case No. -927 Year- 2010 Thana -BEGUSARAI COMPLAINT CSAE District-
BEGUSARAI

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1. Faujdari Yadav @ Faujdari Prasad Suman S/O Late Daso Yadav
Resident Of Village- Sripur, P.S- Sahebpur Kamal, District- Begusarai.

.... Petitioner/s

Versus

1. The State Of Bihar
2. Sudhir Kumar Thakur S/O Late Nand Lal Thakur Resident Of Village-
Phulmali, P.S- Sahebpur, Kamal, District- Begusarai.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashish Kumar

For the Opposite Party/s : Mr. H.A.Khan (App)

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 18-04-2017

Heard learned counsel for the parties.

Petitioner, by means of this application under section 482 of the Code of Criminal Procedure, have invoked the inherent jurisdiction of this Court with prayer to quash the order dated 29.07.2013 passed in Criminal Revision No. 435 of 2011 by Additional Sessions Judge V, Begusarai whereby while dismissing the said revision application he has affirmed the order dated 07.12.2000 passed by the Judicial Magistrate, 1st Class, Begusarai whereby he has taken cognizance against the petitioner for offences under sections 147, 149, 323, 342 and 379 of the Indian Penal Code.

The contention of the learned counsel for the



petitioner is that petitioner is the title holder of the land in question which has also been mutated in his favour. It is further submitted that father of the complainant wrote several letters to the petitioner stating there is dispute with regard to identification of the lands purchased by the petitioner. The dispute between the parties is purely civil in nature.

Having heard learned counsel for the parties and keeping in view the facts and circumstances of the case, there appears no force in the arguments advanced by learned counsel for the petitioner. The submissions made by the learned counsel for the petitioner calls for adjudication on pure questions of fact which may be adequately adjudicated by the trial Court. I do not find any illegality amounting to abuse of process of Court for interference in extraordinary jurisdiction under section 482 Cr.P.C.

This application is, accordingly, dismissed. However, the petitioner would be at liberty to raise his defence in the trial Court at appropriate stage.

Manish/-

(Arvind Srivastava, J)

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