

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.155 of 2015

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1. Mina Devi wife of Naresh Mahto
2. Usha Devi wife of Mithlesh Nishad@ Mithlesh Mahto@Mithlesh Kumar Mahto
3. Daulati Devi Wife of Ramashish Mahto All are resident of Mohalla Purani Barh Bind
Toli Police Station- Barh, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar
2. Raj Kumar Prasad Son of Late Nanhu Mahto Resident of Mohalla- Banarasi, Barh,
Police Station- Barh, District- Patna.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj, Adv
For the Respondent/s : Mr. S. Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH
ORAL JUDGMENT
Date: 07-03-2017

The petitioner is aggrieved by order dated 24.11.2014
passed by the learned Sub Divisional Magistrate, Barh, Patna,
whereby he has passed an order under Section 144 of the Cr.P.C
absolute in favour of Opposite Party No. 2.

By operation of Section 144 (4) of the Cr.P.C., of the
Code of Criminal Procedure, the impugned order has lost its force and
accordingly, this application has become infructuous.

Learned counsel for the petitioner has, however,



pointed out to the observation made by the learned Sub Divisional Magistrate, Barh, Patna in his order dated 24.11.2014, on the question of title over the disputed land. It is observed that the said observation made by the learned Sub Divisional Magistrate, Barh, Patna shall not prejudice the case of the petitioner over his title and possession over the land in question, in any other proceeding involving such issue of title and possession in relation to the disputed land.

This application stands disposed of accordingly.

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(Chakradhari Sharan Singh, J)

Ranjan/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	09.03.2017
Transmission Date	09.03.2017

