

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25772 of 2015

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Ram Swaroop Sharma, son of Late Jagdish Sharma, resident of village -
Baidpur, P.S. - Shambhuganj, District- Banka.

.... Petitioner

Versus

1. The State of Bihar
 2. Gauri Prasad Singh, son of Late Siran Singh, resident of Village -
Bansipur, P.O. & P.S.- Tarapur, District - Munger
 3. Anup Lal Singh, son of Late Mahabir Singh
 4. Diresh Singh, son of Sri Anup Singh
 5. Alindar Singh, son of Sri Anup Lal Singh
 6. Birendra Singh, son of Sri Anup Lal Singh
 7. Angad Singh, son of Basudeo Singh
 8. Dayanand Singh, son of Basudeo Singh
 9. Dharmendra Sharma, son of Ram Swaroop Sharma
 10. Deepak Sharma, son of Ram Swaroop Sharma
 11. Sadhna Sharma , Sarpanch , Gram Kachahari, Bidpur, wife of Sri Pan
Mani Sharma
 12. Subhash Singh, son of Late Chhedi Singh
 13. Amit Singh, son of Sri Subhash Singh
 14. Manoj Sah, son of Late Jageshwar Sah
- All Resident of Vill- Baidpur, P.S. - Shambhuganj, District- Banka.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Gupta, Advocate
For the State : Mr. Pronati Singh (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 08-05-2017 Heard learned counsel for the petitioner and the State.

The present application has been filed for quashing of
the order dated 27.02.2015, passed by the learned Sessions Judge,
Munger, in Criminal Revision No.195/2014, whereby the order
dated 20.01.2014, passed by the learned SDM, Munger, in Case
No.197/2013, has been confirmed, whereby 144 Cr. P.C.
proceeding has been converted into 145 Cr.P.C proceeding.



Hence, the prayer has been made for quashing of both the orders passed by the learned Sessions Judge.

Learned counsel for the petitioner now confines his prayer only to the extent that Sub-Divisional Officer may be directed to conclude the proceeding of Case No. 197 of 2013, after giving due opportunity of being heard to the petitioner and examine the documents submitted by the petitioner in support of his claim of possession over the land appertaining to Khata No.22, Plot No.11, Thana – No. 251, situated in Mauza – Afzalpur, in the District of Munger.

In the circumstances, the application is disposed of with a direction to the Sub-Divisional Magistrate, Munger, to conclude the proceeding of Case No.197 of 2013, if the same has not been concluded, after giving due opportunity of being heard to both the sides, preferably within a period of three months.

(Dinesh Kumar Singh, J)

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