

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.416 of 2015

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1. Kapildeo Sinha son of Late Ram Nihora Singh.
2. Om Prakash Singh.
3. Annu Prakash Singh both sons of Kapildeo Sinha All resident of village
Batan Bigha, P.S. Karpi, District- Arwal.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sakaldeo Prasad Verma son of Late Ram Nihora Singh, resident of
Village Batan Bigha, P.S. Karpi, O.P- Sonbarsa Banshi Suryapur, District
Arwal.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Akhileshwar Dayal
For the Respondent/s : Mr. Amitesh Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

9 04-09-2018 This revision application has been preferred against the

order dated 28.4.2014 passed by the SDJM, Arwal in Case No.134

of 2011/397 of 2011/06 of 2012/56 of 2014 by which the learned

Magistrate has found possession of the O.P.No.2 over the land in

question.

Submission of the learned counsel for the petitioner is

that the learned Magistrate has not considered the evidence

available on record that shows possession of the petitioner and

passed order in favour of the O.P.No.2.

On the other hand the learned counsel for the O.P.no.2

has submitted that in this case the learned Magistrate has

considered the fact that the witness Gyani Singh from whom



second party claims to have taken land in *Badlain* has himself made *Bakshisnama* of the land in favour of Munsii Mahto and considering the same the possession has been declared of the first party petitioner and moreover this Court can not decide title of any of the parties.

Having heard both sides and in view of the facts and circumstances, this application is disposed of with direction to the learned counsel for the petitioners to move before the competent court of civil jurisdiction for declaring title over the land instead of pursuing the matter in revision.

Accordingly, this revision application is disposed of.

(Vinod Kumar Sinha, J)

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