

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1815 of 2016

Arising Out of PS. Case No.- Year- Thana- District- Nalanda

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Ramchandra Prasad S/o Late Hari Mahto Resident of Village - Ranabigha,
P.S.- Deep Nagar, District - Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Binod Kumar @ Dara Singh S/o Narayan Mahto Resident of Village -
Ranabigha, P.S. - Deep Nagar, District - Nalanda.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate

For the Opposite Party/s : Mr. Ram Naresh Roy (App)

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 07-09-2018 This petition under Section 482 Cr. P. C. has been

filed for quashing the order dated 02.11.2015 passed by

Additional Sessions Judge -V Nalanda (Biharsharif) in Cr. Rev.

no. 444 of 2014 whereby the order dated 17.07.2014 passed by

Executive Magistrate Biharsharif (Nalanda) in case no. 482(M) /

2007 declaring the possession of opposite party no.2 on the

disputed land under Section 145 Cr. P. C. has been affirmed.

The Lower Court Records has been received.

Perused the order passed by the Executive Magistrate

dated 17.7.2014 as well as the order dated 2.11.2015 passed by

the learned Additional Sessions Judge-V, Nalanda (Biharsharif).

This Court finds from perusal of the order passed by



the Executive that after considering all the materials including the evidence brought on record by both the parties, he has passed the order declaring the possession of the first party over the land in dispute. The revisional Court has affirmed the order dated 17.7.2014 after looking into materials available on record. This Court finds that order passed by both the Court was concluded by finding of facts.

Therefore, this Court does not find any illegality in the impugned order(s) passed by both the Court below.

This Cr. Misc. petition is, accordingly, dismissed.

(Sanjay Priya, J)

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