

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1829 of 2018

Arising Out of PS. Case No.- Year-1111 Thana- District-

1. Prem Prakash, son of Sri Shyam Bihari Sharma,
2. Vijay Krishna Sharma, son of Late Kameshwar Sharma,
3. Ram Shankar, son of Sri Kapildeo Sharma, All resident of Village- Karauta, P.O. Doma, P.S. Salimpur, District- Patna.

... .. Petitioners

Versus

1. The State Of Bihar Through The District Magistrate, Patna.
2. The District Magistrate, Patna, District- Patna.
3. Sri Sajjan R. son of not known to the petitioners, Presently posted as the Sub- Divisional Officer, Barh, District- Patna.
4. Sri Ashok Kumar Singh, son of not known to the petitioners, Presently posted as the Circle Officer, Bakhtiyarpur, District- Patna.
5. Arun Mahto,
6. Bhullu Mahto,
7. Jhuman Mahto,
8. Pawan Mahto, All sons of Bilash Mahto, resident of Village- Hardaspur Diara, P.O. and P.S. Bakhtiyarpur, District- Patna.
9. Dhanna Devi, wife of Ram Ashok Mahto, resident of Village- Naya Tola, Dedaur, P.O. and P.S. Bakhtiyarpur, District- Patna.
10. Rubi Devi, wife of Maksudan Mahto, resident of Village- Naya Tola, Dedaur, P.O. and P.S. Bakhtiyarpur, District- Patna.
11. Chameli Devi, wife of Bijan Mahto, resident of Village- Chiraiyan Diara, P.O. and P.S. Bakhtiyarpur, District- Patna.
12. Maksudan Mahto, son of Late Ram Ekbal Mahto, resident of Village- Naya Tola, Dedaur, P.O. and P.S. Bakhtiyarpur, District- Patna.
13. Umavati Devi, wife of Suresh Mahto, resident of Village- Naya Tola, Dedaur, P.O. and P.S. Bakhtiyarpur, District- Patna.
14. Suresh Mahto, son of Late Lekha Mahto, resident of Village- Naya Tola, Dedaur, P.O. and P.S. Bakhtiyarpur, District- Patna.
15. Indu Devi, wife of Shyam Narayan Mahto, resident of Village- Gyaspur Mahaji, P.S. Salimpur, District- Patna.
16. Rinki Devi, wife of Dhananjay Singh, resident of Village- Roopas Mahaji, P.S. Salimpur, District- Patna.
17. Dhananjay Singh, son of Sri Nawal Singh, resident of Village- Roopas Mahaji, P.S. Salimpur, District- Patna.
18. Sudhir Mahto, son of Late Lekha Mahto, resident of Village- Naya Tola, Dedaur, P.O. and P.S. Bakhtiyarpur, District- Patna.



19. Saroj Devi, wife of Sudhir Mahto, resident of Village- Naya Tola, Dedaur, P.O. and P.S. Bakhtiyarpur, District- Patna.
20. Gorakh Mahto,
21. Karu Mahto,
22. Sanjay Mahto, All sons of Suresh Mahto, resident of Village- Naya Tola, Dedaur, P.O. and P.S. Bakhtiyarpur, District- Patna.
23. Tetari Devi, wife of Munchun Mahto, resident of Village- Naya Tola, Dedaur, P.O. and P.S. Bakhtiyarpur, District- Patna.
24. Baidya Nath Mahto,
25. Baiju Mahto,
26. Dinanath Mahto,
27. Ramnath Mahto,
28. Shivnath Mahto, All sons of Madhusudan Mahto, resident of Village- Naya Tola, Dedaur, P.O. and P.S. Bakhtiyarpur, District- Patna.
29. Bilash Mahto, son of Late Nanhak Mahto, resident of Village and P.O. Haridarpur Diara, P.S. Bakhtiyarpur, District Patna.
30. Munchun Mahto,
31. Ram Ashok Mahto, Both sons of Etawari Mahto, resident of Village- Naya Tola, Dedaur, P.O. and P.S. Bakhtiyarpur, District- Patna.
32. Sushila Devi, wife of Bilash Mahto, resident of Village and P.O. Haridarpur Diara, P.S. Bakhtiyarpur, District Patna.

... .. Respondents

Appearance :

For the Petitioner/s : Mr. Anita Kumari
For the Respondent/s : Mr. Md. Raisul Haque

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 23-04-2019 This application under Articles 226 and 227 of the Constitution of India has been filed by the petitioner for quashing the order dated 23.06.2018 passed by the respondent no. 3 in Case No. 179 of 2018 in a proceeding under Section 144 of the Code of Criminal Procedure (for short 'Cr.P.C') whereby he has declared possession of respondent nos. 5 to 32 over the disputed plot of land.



In view of the fact that the order impugned has been passed in a proceeding under Section 144 of the Cr.P.C as back as on 23.06.2018 and the same has lost its force on expiry of two months in view of the provisions prescribed under sub-section (4) of Section 144 of the Cr.P.C, this application has become infructuous.

Accordingly, the application is disposed of as infructuous.

(Ashwani Kumar Singh, J)

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