

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2574 of 2015

Arising Out of Case No.-177 (C) Year-2000 Thana- BHOJPUR COMPLAINT CASE
District- Bhojpur

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1. Ajit Kumar Tiwari, S/o Dudha Nath Tiwari
 2. Ajay Tiwari S/o Late Nanhu Tiwari,
Both Resident of Village Rajpur, P.S. Tarari, District Bhojpur.

... .. Petitioner/s

Versus

1. State of Bihar.
2. Mostt. Dalbeshra Kaur W/o Ram Narayan Tiwari Resident of Village
Rajpur, P.S. Tarari, District Bhojpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bakshi S.R.P. Sinha, Advocate
For the State	:	Mr. Md. Arif, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL ORDER

2 12-04-2019 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have moved the Court under
Section 482 of the Code of Criminal Procedure, 1973 for the
following relief:

*“That the present application is
being filed for quashing the order dated
03.12.2014 passed by Smt. Noor Sultana,
Judicial Magistrate, 1st Class Ara in case no.
177(c) of 2000/Tr. 3340 of 2009. By the
aforesaid order the learned Trial Court has
refused to stay the further proceeding of the
criminal case on the ground that a Title suit
with respect to disputed land is also pending
between the parties.”*



3. At the very outset, learned counsel for the petitioners submitted that the matter be disposed off with liberty to bring to the notice of the Court below, including the appellate Court, as the case may be, any order which may be passed and which may be beneficial to the petitioners, in the Title Suit filed by the opposite party no. 2, seeking declaration of the sale deed in question to be null and void.

4. Learned APP does not object.

5. Having regard to the aforesaid, the application stands disposed off with liberty aforesaid.

6. It goes without saying that any order, which may be passed in the Title Suit No. 102 of 2000, filed by the opposite party no. 2, which is with regard to setting aside the sale deed in question, the petitioners shall be entitled to bring the same to the notice of the Court concerned and consequences shall follow, in accordance with law, without being prejudiced by the present order.

(Ahsanuddin Amanullah, J.)

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