

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.368 of 2008

Shib Nath Mandal, son of Late Rameshwar Mandal, resident of Mohalla-Kadirabad, P.S. L.N.M. University, District – Darbhanga.

... .. Petitioner

Versus

1. The State Of Bihar,
2. Md. Risad Hussain @ Rishi, son of Sabid Hussain,
3. Akhtar Chik, son of Jhapsu Chik,
4. Md. Kamar Chik, son of Yusuf Chik,
5. Munna Mian, son of Rajak Mian,
6. Farukh Ansari, son of Harun Ansari, All (Opp. Party Nos. 2 to 6)
resident of Mohalla – Kadirabad, P.S. L.N.M. University, District –
Darbhanga.
7. Md. Gulab @ Gulam Ghaus, son of Late Hasan Jan,
8. Md. Quamar Quraishi @ Quamar Chik, son of Late Yousuf Chik,
Both resident of Mohalla-Kadirabad, P.S. L.N.M. University, District
– Darbhanga.

... .. Respondents

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate, Mr. Amit Alam, Advocate, Mr. Pravin Kumar, Advocate,
For the Respondent/s	:	Mr. U.S. Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL JUDGMENT

Date : 13-09-2019

Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

This Criminal Revision is directed against the
Judgment dated 13.11.2007 passed in Criminal Appeal No. 10 of
2007 dismissing the aforesaid Criminal Appeal preferred by the
petitioner against the order dated 20.12.2006 rejecting the
application of the petitioner filed under Section 456 (1) Cr.P.C.
to restore the possession of the land after conviction of O.P.
No.2 to 6 in C.R. No. 94 of 1991 by the Court of Sri R.K.



Srivastava, J.M. 1st Class, Darbhanga on 25.04.2004 arriving at conclusion that Miscellaneous Case No. 113 of 2005 was filed by the petitioner/appellant after more than one month, while as per provision of Section 456(1) of Cr.P.C. the application may be filed within one month of the Judgment of conviction.

On going through the impugned Judgment/order, I find no illegality in the impugned Judgment/order. Hence this criminal revision is dismissed.

Accordingly, the Interlocutory Application filed on behalf of the petitioner stands disposed off.

(Rajendra Kumar Mishra, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	16.09.2019
Transmission Date	16.09.2019

