

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2209 of 2018

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

SHRI NARAYAN RAUT @ SHIV NARAYAN RAUT S/o Late Hari Raut,
R/o Mohalla- Kathalwari, Ward No. 13, Milan Vivah Bhawan Gali, Post
Office- Lalbagh, P.S.- lalit Narayan Mithila University Campus, District-
Darbhanga.

... .. Petitioner/s

Versus

1. State Of Bihar
2. Ram Autar Yadav S/o Late Hit Lal Yadav, R/o Village- Buchhaman,
Basudeopur, P.S.- Sadar, District- Darbhanga.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abinash Kumar
For the Opposite Party/s : Mr. Pawan Kumar Chaurasiya

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 19-11-2019 Heard the learned counsel for the petitioner and

the State.

With respect to a dispute over a plot of land, the

petitioner was the first party before the learned Magistrate in

a proceeding under Section 144 Cr.P.C. On perusing the

explanation of the parties, the Opposite Party No. 2, who

was the second party, was restrained from disturbing the

possession of the petitioner. This order was passed on

06.06.2017. The aforesaid order was challenged by Opposite

Party No. 2 before the District and Sessions Judge,

Darbhanga in Cr. Revision No. 248 of 2017. By the



revisional order dated 03.08.2017, the order passed by the Magistrate was set aside but without hearing the petitioner.

This Court would have entertained the present petition but for the fact that the duration of an order under Section 144 Cr.P.C. is only for a period of sixty days. The order passed by the Magistrate has lost its force and so is the effect of the revisional order.

Nonetheless, the observations made by the revisional Court shall not be read to the prejudice of either of the parties.

The petition stands dismissed.

(Ashutosh Kumar, J)

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