

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1990 of 2019

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

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Laxmi Devi Bindi Paswan Resident of Village- Rohua Rajaram P.S.-
Mushahari, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Chandeshwar Paswan Mauza Paswan Resident of Village- Rajaram Rahua.
P.S. - Mushahari, District- Muzaffarpur.
3. Rakesh Paswan Chandeshwar Paswan Resident of Village- Rajaram Rahua.
P.S. - Mushahari, District- Muzaffarpur.
4. Ranjeet Paswan Ram Chandra Paswan Resident of Village- Rajaram Rahua.
P.S. - Mushahari, District- Muzaffarpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar
For the Opposite Party/s : Mr. Kumar Virendra Narayan

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 21-10-2019 Heard the learned counsel for the petitioner and

the State.

The petitioner, who is the first party in a proceeding Under Section 145 Cr.P.C., has challenged the order of learned Executive Magistrate dated 11.01.2017, whereby the possession of the opposite parties over the disputed plot of land has been affirmed, as also against the order dated 30.08.2018 passed in Criminal Revision No. 32 of 2017, whereby the order passed by the Magistrate has been affirmed and upheld.



From the perusal of the order passed by the learned Magistrate as also of the revisional court, it appears that with respect to possession of the petitioner over the land in question, no positive evidence was adduced. But, the opposite parties, who were the second party before the learned Executive Magistrate, had adduced definite evidence with respect to their possession over the said plot of land. The revisional court also took note of the fact that the husband of the petitioner had admitted that for the last 30 years, the opposite parties were in possession of the land in question.

In this factual scenario, no interference with respect to the order passed by the learned Executive Magistrate dated 11.01.2017 and the revisional court dated 30.08.2018 is warranted.

The petition has no merit. It is dismissed accordingly.

(Ashutosh Kumar, J)

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