

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75894 of 2019

Arising Out of PS. Case No.- Year-0 Thana- District- Rohtas

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1. KESHWAR SINGH Son of Late Deepa Singh Resident of Village and P.O.-
Sheohar Tola, P.S.- Bikramganj, Distt - Rohtas.
 2. Ramadhar Singh Son of Keshwar Singh Resident of Village - and P.O. -
Sheopur Tola, P.S.- Bikramganj, Distt - Rohtas.
 3. Jitendra Singh Son of Keshwar Singh Resident of Village - and P.O. -
Sheopur Tola, P.S.- Bikramganj, Distt - Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Vinod Singh Son of Late Mundrika Singh Resident of Village and P.O.-
Sheohar Tola, P.S.- Bikramganj, Distt - Rohtas.
3. Pramod Singh Son of Late Mundrika Singh Resident of Village and P.O.-
Sheohar Tola, P.S.- Bikramganj, Distt - Rohtas.
4. Manoj Singh Son of Late Mundrika Singh Resident of Village and P.O.-
Sheohar Tola, P.S.- Bikramganj, Distt - Rohtas.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sada Nand Roy
For the Opposite Party/s : Mr. Awadhesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 26-11-2019 This application has been filed for quashing of order dated 19.08.2019, passed by the learned Additional Sessions Judge-X, Sasaram, Rohtas in Cr. Revision No. 124 of 2013, dismissing the revision petition filed by the petitioners against the order dated 19.09.2012 passed by learned S.D.M., Bikramganj, Rohtas in Case No. 1388/1997 by which the learned S.D.M. has found the disputed land measuring 8 ½



decimals is purchased land of the first party which he has purchased through the registered sale deed and second party was directed not to disturb the possession of the first party.

It appears that in this case earlier against the order of the S.D.M., Bikramganj in the proceeding under Section 145 Cr.P.C. Revision application was preferred before Sessions Judge which has been considered by the Additional Sessions Judge and revision application was dismissed. Against which the petitioners have preferred the present application on the sole point that the learned Magistrate has not scrutinized the evidence and only discussing the evidence, has come to the above conclusion. As such this is the case of non appreciation of the evidence by the revisional Court.

On the other hand, learned APP opposed this application on the ground that it is the second revision in the garb of this quashing application. If the petitioners are aggrieved it is always open to the petitioners to move before the civil Court of competent jurisdiction. Proceeding u/s 145 Cr.P.C. was pending for 22 years.

Considering the facts as discussed above and since the petitioners has an opportunity to move before the civil Court of competent jurisdiction by filing suit to get the dispute



settled, I find no merit in this application, accordingly
dismissed.

(Vinod Kumar Sinha, J)

Ranjeet/-

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