

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.107 of 2022

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

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GOPAL UPADHYAY Son of Late Ravindra Nath Upadhyay Resident of village - Jarha, Police Station - Tilauthu, District - Rohtas.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR THROUGH THE CHIEF SECRETARY, GOVT. OF BIHAR, PATNA Bihar
2. The Director General of Police, Old Secretariat, Patna. Bihar
3. D.I.G. Police, Dehri- On-Sone, Rohtas. Bihar
4. Superintendent of Police, Rohtas. Bihar
5. Sub Divisional Police officer, Dehri-On- Sone, Rohtas. Bihar
6. Deputy Superintendent of Police (Law and Order) Dehri-On- Sone, Rohtas. Bihar
7. Officer-In- Charge, Tilauthu, Police Station, Tilauthu, Rohtas. Bihar
8. Circle officer, Tilauthu, Rohtas. Bihar
9. Circle Inspector, Tilauthu, Circle Rohtas. Bihar
10. Karamchari, Tilauthu, Circle officer, Rohtas. Bihar

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Gopal Krishna
For the Respondent/s : Mr. Sheo Shankar Prasad

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 28-08-2023 1. Heard learned Counsel for the parties concerned.
2. The petitioner has filed the present writ application for lodging the First Information Report against the Circle Officer, Tilauthu, and others for mutation of a piece of land in the name of dead person on the basis of forged and fabricated documents in connivance with others.
3. Learned Counsel for the petitioner submits that the Circle



Officer, Tilauthu, in connivance with some persons have mutated the land of the petitioner in the name of dead person.

4. A Counter affidavit has been filed by the State stating therein that since the mutation has been done in the name of a dead person, the petitioner has the remedy to file an appeal under Section 7 of the Bihar Land Mutation Act, 2013, before the D.C.L.R.
5. Having heard learned Counsel for the parties concerned and taking into consideration the nature of dispute, in my opinion, no direction can be issued for lodging of the First Information Report and the petitioner may avail remedy of appeal challenging the order of mutation passed by the Circle Officer before the competent authority.
6. This application is, accordingly, dismissed.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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