

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.2824 of 2017

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

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Ranjeet Kumar Singh Son of Late Bhageshwr Prasad Singh, R/o Village P.O.-
Nisihara, P.S.- Ghanshyampur, District- Darbhanga.

... .. Petitioner/s

Versus

1. The State Of Bihar Through Principal Secretary, Home Department,
Government Of Bihar, Patna.
2. The District Magistrate, Darbhanga.
3. The Sub Divisional Magistrate, Biraul, Darbhanga.
4. The Officer Incharge, Ghanshyampur Police Station, Darbhanga.
5. Ramashankar Thakur, Son of Late Subhkant Thakur,
6. Sanjeev Thakur, Son of Ramashankar Thakur, Both are resident of Village-
Parari, P.S.- Biraul, District- Darbhanga.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Jha
For the Respondent/s : Mr.Sheo Shankar Prasad

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 18-05-2023 Heard learned counsel for the parties.

This application has been filed for quashing the order dated 11.05.2017 passed in Cr. Revision No. 138/2017 by which learned District & Sessions Judge, Darbhanga has been pleased to dismiss the revision application filed by the petitioner on the ground of having become infructuous and further for quashing the order dated 01.03.2017 passed by respondent no. 3 in Miscellaneous Case No. 862/2016 whereby and whereunder in gross violation of the respondent no. 3 has declared the title of the respondents no. 5 and 6 over the land in question which is



raiya land of the petitioner.

Learned counsel for the petitioner has challenged the order dated 11.05.2017 passed in Cr. Revision No. 138/2017 and order dated 01.03.2017 passed in Miscellaneous Case No. 862/2016 in which finding on the title and possession has been given by the Magistrate. In a proceeding under Section 144 of Cr.P.C., this jurisdiction is not vested with the Magistrate. The Sub Divisional Magistrate, Biraul, Darbhanga cannot give a findings on the possession and title of any of the party.

This application is disposed of with an observation that the finding in the order dated 11.05.2017 passed in Cr. Revision No. 138/2017 and order dated 01.03.2017 passed in Miscellaneous Case No. 862/2016 shall not affect the case of the petitioner before any authority or any court.

Accordingly, this application is disposed of.

(Sandeep Kumar, J)

Ranjeet/-

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