

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15722 of 2023

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

RAM DEO MISHRA Son of Late Nand Lal Mishra Resident of Village-
Ginjas, P.S.- Saraiya, District- Muzaffarpur and at present address R/O
Muhalla- Shivpuri Road No. 1A, P.S.- Shastrinagar, District- Patna-23

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Ram Shwarath Mishra Son of Late Rajdeo Mishra Resident of Village and
P.O.- Ginjas, P.S.- Saraiya, District- Muzaffarpur, and at present address R/O
Muhalla- Alkapuri, P.O. and P.S.- Bhagwanpur, District- Muzaffarpur, PIN-
842003
3. Upendra Mishra Son of Late Rajdeo Mishra Resident of Village and P.O.-
Ginjas, P.S.- Saraiya, District- Muzaffarpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Kamal Deo Sharma
For the Opposite Party/s : Mr.Ahmad Ali

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 08-08-2023 Heard learned counsel for the parties.

2. This application has been filed for quashing the order dated 10.11.2022 passed by learned Additional Sessions Judge, 19th Muzaffarpur in Cr. Revision No. 258/2012 passed by Sub-Divisional Magistrate (West), Muzaffarpur in Proceeding Case No. M 636/1981 by which proceeding has been initiated under Section 145 Cr.P.C. regarding disputed property Katahal tree was standing in plot no. 6354 and it was in possession of the 2nd party.

3. The impugned order has been passed in a



proceeding under Section 145 Cr.P.C. of year 1981. This kind of frivolous litigation should not be allow to continue. By the impugned order the revision application has been dismissed by the learned Additional Sessions Judge by a detailed order, I am not inclined to interfere in this matter, this application is dismissed.

4. The parties may approach the civil court for declaration of their right, title and interest in the disputed property.

(Sandeep Kumar, J)

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