

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25484 of 2015

Arising Out of PS. Case No.-955 Year-2012 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Kaimur (Bhabua)

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1. Markandey Tiwary and Ors S/o Sri Sudarshan Tiwary,
 2. Ram Ekbal Tiwary, S/o Late Baliram Tiwary Both are residents of Atarvalia, P.O.- Kathej, P.S.- Mohania, District- Kaimur.
 3. Kamlakant Chaturvedi, S/o Late Devsharan Chaubey
 4. Devendra Nath Pandey
 5. Harendra Kumar PAndey Both sons of Late Lalita Pandey, residents of village- Gheghian, P.O.- Kauriram, P.S.- Mohania, District- Kaimur.

... .. Petitioner/s

Versus

1. State Of Bihar and Anr
2. Laxmikant Tiwary, S/o Late Ramji Tiwary, resdient of village- Atarvalia, P.S.- Mohania, District- Kaimur at present village- Paspipra.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sujeet Kumar, Advocate
For the Opposite Party/s : Mr.Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 02-03-2023 On 15.2.2023, no one appeared on call and the
following order was passed:

" No one appears on call.

*The petitioner has moved this Court
for quashing of the order dated
18.06.2013 passed by learned Chief
Judicial Magistrate, Bhabhua, Kaimur
in Complaint Case No. 955 of 2012
under Section 423, 468 and 120B of*



the IPC

As per the prosecution story, the ancestral land was partitioned but the accused persons with dishonest intention and to the loss of co-sharer got a sale deed executed in favour of Kamlakant Chaturvedi on 13.02.2012 in respect of Plot No. 398 measuring 23 decimals and other sale deed in respect of plot no. 186, Area 21 decimals. However, when the accused persons tried to get the land mutated the same was rejected on the finding that the sale deed is prima facie wrong. Accordingly the complaint.

As stated above, on call, no one has appeared.

As a last chance, list this case after two weeks.

Today also on call, no one has appeared.

The petition is dismissed for non-prosecution with liberty to the petitioners to raise all the points at an appropriate



stage before the trial court.

(Rajiv Roy, J)

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