

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25013 of 2015

Arising Out of PS. Case No.-45 Year-2015 Thana- PATNA COMPLAINT CASE District-
Patna

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1. Rajiv Ranjan and Ors S/o Sri Sheo Dhani Prasad Mehta
 2. Priya Ranjan S/o Sri Sheo Dhani Prasad Mehta
 3. Babita Kumari W/o Sri Rajiv Ranjan
 4. Ahilya Devi W/o Sri Sheo Dhani Prasad Mehta All R/o Moh - Munnachak,
P.S. - Patrakar Nagar, Dist. - Patna.

... .. Petitioner/s

Versus

1. State Of Bihar
2. Rakesh Ranjan Son of Sri Rajkumar Prasad R/o - Jaipur Dhanuki, Bari
Pahari, P.S. - Agamkuan, District - Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Binode Bariar
For the Opposite Party/s : Mr. Manish Kumar No.2 APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 14-02-2023 Heard learned counsel for the parties.

This application has been filed for quashing the order
dated 23.02.2015 passed by learned ACJM, Patna City in C.A.
Case No. 45(C) of 2015.

Learned counsel for the petitioner submits that from
reading the complaint, it will appear that this is an out and out
civil dispute.

I have heard the learned counsel for the petitioner and
learned APP for the State.



The present complaint has been filed by the complainant saying that land was transferred by the petitioners no. 1 & 2 and the petitioners no. 3 and 4 are witnesses on the sale-deed and subsequently the complainant has not been able to get the possession. He has also written in the complaint that the land was sold to someone else also but no details of the persons in favour of whom another sale-deed is said to have been executed is given in the complaint.

From the record, it appears that revenue rent receipts have been issued in the name of the complainant which means that the land has been mutated in the name of the complainant. Mutation is only done by the revenue authorities if the person found in the possession of the land in question and thereafter, rent receipts are issued.

Considering the aforesaid submissions and the materials available on record, I find that this complaint is nothing but malicious complaint which is to harrass the petitioners and the same should not be continue.

This application is allowed.

The impugned order dated 23.02.2015 taking cognizance in C.A. Case No. 45(C) of 2015 passed by learned ACJM, Patna City is hereby quashed.



Let a copy of this order be communicated to the District Judge, Patna through FAX and e-Mail for its compliance forthwith.

(Sandeep Kumar, J)

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