

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30042 of 2023

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

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1. SRI PRAKASH RAI SON OF KAPILDEO RAI Resident of village - Khalwa, P.S. - Nautan, Distt. - Siwan
 2. OM PRAKASH RAI SON OF KAPILDEO RAI Resident of village - Khalwa, P.S. - Nautan, Distt. - Siwan

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. YOGENDRA RAI SON OF LATE PRADUMNA RAI Resident of village - Khalwa, P.S. - Nautan, Distt. - Siwan
3. RAMJI RAI SON OF RAM NARAYAN RAI Resident of village - Khalwa, P.S. - Nautan, Distt. - Siwan
4. BHRIGUNATH RAI SON OF LATE CHANDRABHAN RAI Resident of village - Khalwa, P.S. - Nautan, Distt. - Siwan
5. MOTILAL BHAGAT SON OF LATE SREEPATI BHAGAT Resident of village - Semaria, P.O. - Semaria, P.S. - Nautan, Distt. - Siwan
6. GHANSHYAM SHAH SON OF LATE VISHWANATH SAH Resident of village - Nautan P.S. - Nautan, Distt. - Siwan

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar Shrivastava
For the Opposite Party/s : Mr.Sharda Kumari APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 20-06-2023 Heard learned counsel for petitioner and learned
Additional Public Prosecutor.

This application is filed for quashing the order dated
30.01.2023 passed in Criminal Revision No. 174/2018 by
Additional District and Session Judge-XI.

The order of the Magistrate passed under Section 145
Cr.P.C. was challenged by the learned counsel for the petitioner



by filing the criminal revision. The criminal revision application has also been dismissed.

This Court will not go into the question of title when both the Courts were held in favor of the opposite party no. 2. If the petitioner is aggrieved by the order under Section 145 Cr.P.C., he should have approached the District Court for declaration of his title.

This application is dismissed with liberty to petitioner to approach the District Court for declaration of his title. If such a suit is filed, the District Court will decide the same in accordance with law.

If the petitioner file the injunction petition, then the same shall be decided within one month from its filing in accordance with law.

(Sandeep Kumar, J)

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