

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15682 of 2016

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

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Gauri Shankar Manjhi Son of Sri Sadhu Manjhi, Resident of Village-Jhhirwa,
P.S.-Banka, District-Banka.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Srimat Tara Devi Wife of Nageshwar Manjhi.
3. Nageshwar Manjhi Son of Sadhu Manjhi.
4. Sadhu Manjhi @ Sadho Manjhi, Son of Late Firangi Manjhi All Resident of Village-Jhhirwa, P.S. and Banka, District-Banka.
5. Jagdish Manjhi Son of Sadhu Manjhi Resident of village-Jhhirwa, P.O. and P.S.-Banka, District-Banka.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Kumar Verma, Advocate
For the Opposite Party/s : Mr.Rajesh Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 13-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. This application has been filed for quashing of the order dated 09.02.2016 passed by learned Sessions Judge, Banka in Cr. Revision No. 114 of 2015 by which learned Judge quashed the order dated 07.10.2015 passed by learned S.D.M, Bank in Misc. Case No. 687 of 2015.

3. Learned counsel for the petitioner submits that some respondents have died, therefore he may be permitted to substitute them.

4. Learned counsel for the opposite parties submits



that Title Suit No. 39 of 2016 is already pending between the parties in the court of learned Munsif, Banka. He further submits that no useful purpose will be served upon by keeping the matter pending in this Court.

5. I have heard the submissions of the parties.

6. This application is dismissed with a liberty to the petitioner to approach learned Munsif, Banka for expeditious disposal of Title Suit No. 39 of 2016. If such an application is filed by either of the parties, the learned Munsif will dispose of the same within one year from the date/communication a copy of this order. The findings in the Section 145 Cr.P.C proceedings will not affect the title of the case of either of the parties.

7. With the aforesaid observation and direction, this application is disposed of.

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

(Sandeep Kumar, J)

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