

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45652 of 2022

Arising Out of PS. Case No.-282 Year-2021 Thana- NAWADA District- Nawada

PROF. ARJUN PRASAD @ ARJUN PRASAD S/o- Late Dodi Narayan Yadav Resident of Village -Nanaura, Tola- Bario, P.S.- Nardiganj, Dist.- Nawada, at present residing at Sri Krishna Nagar Colony, P.S.- Ishak Chak, Dist.- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. YOGENDRA YADAV Son of Late Prayag Narayan Yadav Resident of Village - Bario, P.S.- Nardiganj, Dist.- Nawada,
3. RAM PRAVESH YADAV Son of Late Prayag Narayan Yadav Resident of Village - Bario, P.S.- Nardiganj, Dist.- Nawada,
4. NAGENDRA PRASAD @ NAGINA YADAV @ NAGGENDRA YADAV Son of Late Prayag Narayan Yadav Resident of Village - Bario, P.S.- Nardiganj, Dist.- Nawada,
5. PRAMOD KUMAR S/o- Yogendra Yadav Resident of Village - Bario, P.S.- Nardiganj, Dist.- Nawada,
6. DINESH YADAV S/o- Ramdeo Yadav Resident of Village - Bario, P.S.- Nardiganj, Dist.- Nawada,
7. RAJ KUMAR S/o Surendra Yadav Resident of Village - Bario, P.S.- Nardiganj, Dist.- Nawada,
8. ASHOK KUMAR S/o- Shyam Sundar Prasad Resident of Village - Sonsa, P.S.- Bathani, Dist.- Gaya.
9. MANOJ KEWAT S/o Sarwish Kewat @ Sarvom Kewat Resident of Village - Sonsa, P.S.- Bathani, Dist.- Gaya.
10. KRISHNA PRASAD S/o- Mahavir Prasad Resident of Village - Nanaura, P.S.- Nardiganj, Dist.- Nawada.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Durgesh Nandan
For the Opposite Party/s : Dr.Mrityunjaya Kr.Gautam

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

13 16-08-2023 This application has been filed for cancellation of
order dated 21.06.2022 passed by this Court in Cr. Misc.
No. 51090 of 2021 in connection with Nawada Town P.S. Case



No. 282 of 2021.

2. Heard the learned counsel for the petitioner as well as the learned Additional Public Prosecutor for the State.

3. The learned counsel for the petitioner has submitted that the land, to which the accused persons have sold, was his own land and it was given to him in partition in the year 1965.

4. The opposite party nos. 2 to 10 were granted anticipatory bail and while granting bail in Cr. Misc. No. 51090 of 2021, it was observed that it is a case of civil nature and its remedy lies in civil court, and not in criminal court.

5. The partition suit is still pending between the parties and ultimate remedy lies in civil court, and not in criminal court.

6. Accordingly, this petition is dismissed.

(Nawneet Kumar Pandey, J)

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