

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.45936 of 2019**

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

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1. GAYA SINGH Son of Dev Krit Singh Resident of Village- Mahmadpur, P.O.- Utrain, P.S.- Tekari (O.P. Panchanpur) District- Gaya.
  2. Vijay Singh Son of Deo Nandan Singh Resident of Village- Mahmadpur, P.O.- Utrain, P.S.- Tekari (O.P. Panchanpur) District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Circle officer, Tekari, P.S.- Tekari, District- Gaya. Bihar
3. officer-in-charge Panchanpur O.P., P.S. Tekari, District- Gaya. Bihar
4. Manika Singh Wife of Lalan Singh Resident of Village- Mahmadpur, P.O.- Utrain, P.S.- Tekari (O.P. Panchanpur) District- Gaya.
5. Vidyamani Devi D/O Shiv Bachan Kumar, Wife of - Rahul Kumar Resident of Village- Mahmadpur, P.O.- Utrain, P.S.- Tekari (O.P. Panchanpur) District- Gaya.
6. Sidhnath Singh Son of Dev Krit Singh Resident of Village- Mahmadpur, P.O.- Utrain, P.S.- Tekari (O.P. Panchanpur) District- Gaya.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Dronacharya, Advocate  
For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR**  
**ORAL ORDER**

6      31-07-2023

Heard learned counsel for the parties.

Counter affidavit has been filed by the State.

The then S.D.M., Tekari has appeared along with the records of the case and he has submitted that there was a law and order situation in the area and a murder had taken place therefore, he had passed the order which has been assailed by the learned counsel for the petitioners.

The present S.D.M., Tekari will consider the law and pass an order pending 146 proceeding in accordance with law. Thereafter, the present S.D.M., Tekari is liberty to initiate a proceeding under Section 144, if there is a law and order



situation. But for other reliefs prayed by the parties, the S.D.M. Tekari will send the parties to make necessary application in the pending Title Suit.

The Sub-Judge, Tekari is directed to dispose of the Title Suit No. 512 of 2008 within a year of communication of this order, without giving unnecessary adjournments to either of the parties. The Sub-Judge, Tekari will proceed ex parte against the non-cooperating party.

With the aforesaid observations and directions, this application is disposed of.

**(Sandeep Kumar, J)**

Guddu/-

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