

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.289 of 2018

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

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1. Sipahi Rai and Anr Son of Late Vishundeo Rai,
 2. Sumitra Devi, Wife of Sipahi Rai, Both residents of Village- Bhaluhi, P.O. and P.S.- Marhaura, District- Saran.

... .. Petitioner/s

Versus

1. The State Of Bihar, Through The Principal Secretary, Department Of Home, Government Of Bihar, Patna
2. Ram Pravesh Prasad Yadav, Son of Late Dharichchan Prasad Yadav, Resident of Village- Olhanpur, Tole Azma Sheikhpura, P.O. and P.S.- Marhaura, District- Saran.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Navin Nikunj
For the Respondent/s : Mr.Md. N.H. Khan Sc-1

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 22-08-2023 Heard learned counsel for the parties.

2. This application has been filed for setting aside the order dated 15.09.2017 passed by learned Additional Sessions Judge-6, Saran at Chapra in Cr. Revision No. 206 of 2016 and further set aside the order dated 12.07.2016 passed by learned S.D.M., Marhaura in Case No. M 317 of 2016 and drop the proceeding under section 145 Cr.P.C.

3. Considering the nature of dispute both the parties agree that the matter can only be decided by a competent civil court and not by the Magistrate/Sub Divisional Magistrate.

4. In that view of the matter, this application is



disposed of with liberty to the aggrieved party to approach the
civil court for declaration of his right, title and interest.

(Sandeep Kumar, J)

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