

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.169 of 2017**

Arising Out of PS. Case No.-429 Year-2015 Thana- KATIHAR COMPLAINT CASE
District- Katihar

=====

Sarifur Rehman @ Sheikh Sarifur Rehman son of Md Aziz @ Sk.Aziz
resident of village and post office Shalehpur Maheshpur Police Station Falka,
District Katihar

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Sheikh Abbas son of Sheikh Guddo
3. Bibi Chuno daughter of Shekh Abbas, both resident of village Shalehpur
Police Station Falka District Katihar
4. Md. Shakoor son of Ali Julla, resident of village Rajdhani Police Station
Falka District Katihar

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr.Anshuman Jaipuriyar, Advocate
For the Respondent/s	:	Mr Dilip Kumar

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 22-02-2023 This criminal revision application has been filed
against order dated 3.12.2016 passed by the Additional Chief
Judicial Magistrate V, Katihar in Complaint case no. CA 429 of
2015 whereby the complaint filed by the petitioner has been
dismissed.

It is submitted by learned counsel for the petitioner
that the impugned order is perverse as while passing the said
order Court below has not taken into consideration the fact that
Tasiruddin was no more at the time of execution of the sale
deed. Moreover, the order in question is without jurisdiction.

On perusal of the impugned order and the materials



available on the record, it is apparent that the Court below has passed the impugned order after taking in account entire materials. Conclusion and findings arrived at by the Court below cannot be said to be perverse. Court below has further considered the fact that genuineness of the sale deed is the subject matter of the title suit. Besides this, the case appears to be of civil nature and in that view of the matter, finding no sufficient ground to proceed, has dismissed the complaint.

In view of the aforesaid observations, I do not find any illegality or irregularity in the impugned order, which requires any interference by this Court. Accordingly, this criminal revision application stands dismissed.

(Prabhat Kumar Singh, J)

Shashi

U		T	
---	--	---	--

