

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.225 of 2019

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

Shriballabh Prasad, Son of Late Laxminiwas Prasad, Resident of Bichali Bazaar, P.S. Mairwa, District - Siwan

... .. Petitioner/s

Versus

1. State of Bihar
2. Shrikant Prasad Son of Late Srinivas Prasad Resident of Bichali Bazaar, P. O. Mairwa, P.S. Mairwa, District - Siwan

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Anand Bhushan, Advocate
For the Respondent/s : Mr. Shantanu Kumar, APP

CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

3 24-01-2024 Upon an application under Section 144 Cr.P.C., an order was passed on 22nd of October, 2018 by the Sub-Divisional Magistrate, converting the said proceeding under Section 144 of the Cr.P.C. into a proceeding under Section 145 Cr.P.C.. The Opposite Party moved in Revision against the said order and the learned Additional Sessions Judge, 3rd Court at Siwan, set aside the impugned order dated 22nd of October, 2018 by an order dated 23rd of January, 2019. Against the said order, the instant Revision is filed.

2. Without going into the merits of the instant Revision, this Court finds that an order under Section 144 of the Cr.P.C. remains in force for 60 days. After 60 days, the order



passed by the learned Sub-Divisional loses its force.

3. The impugned order was passed in the year 2018 and 2019, and five years have elapsed thereafter. The proceeding under Section 144 or Section 145 lapses by lapse of time, therefore, the instant Revision is not maintainable.

4. Since there is boundary dispute between the parties, the parties are at liberty to move before the competent Civil Court for appropriate relief.

(Bibek Chaudhuri, J)

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