

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.136 of 2024

Arising Out of PS. Case No.-318 Year-2023 Thana- GOPALPUR District- Patna

1. Ravi Shankar Singh
2. Rajesh Kumar Singh
3. Sandip Kumar Singh
All Son Of Late Ajit Kumar Singh Resident Of Bihta Kothi Mithapur, P.S. -
Jakkanpur, District - Patna, Bihar

... .. Petitioner/s

Versus

1. The State Of Bihar Throgh Director General Of Police, Bihar, Patna Bihar
2. The Director General Of Police, Bihar, Patna Bihar
3. The Addl. Chief Secretary, Dept. Of Revenue And Land Reforms, Bihar,
Patna Bihar
4. The District Magistrate, Patna Bihar
5. The Senior Superintendent Of Police, Patna Bihar
6. Assistant Superintendent Of Police, Patna Sadar, Patna Bihar
7. The Circle Officer, Sampatchak, Patna Bihar
8. The Officer-In-Charge, Gopalpur, Police Station, Patna Bihar
9. Sharda Devi Wife Of Late Rajkumar Ram Resident Of Nmch Quarter, P.S. -
Alamganj, District - Patna, Bihar
10. Ranjit Rai Son Of Late Indar Rai
11. Vishal @ Vishal Rai Son Of Parmanand Rai
12. Arvind Kumar Son Of Janak Rai
All Resident Of Village - Illahibagh, Akaltola, P.S. - Sampatchak, District -
Patna

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Sumit Shekhar Pandey, Advocate
M/s Kalpana, Advocate
For the State : Mr. Birju Prasad, GP-13
Mr. Ravi Kumar, AC to GP-13
Mr. Akshay Lal, AC to GP-13
Mr. Ajit Anand, AC to GP-13

CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

2 15-03-2024 In respect of a dispute of a piece of land between the
respondent no.9 and other private respondents and the



petitioners, series of criminal cases have been instituted.

2. The petitioners have approached this Court for quashing of Gopalpur P.S. Case No.318 of 2023 dated 23.05.2023 under Sections 147/ 341/ 323/ 385/ 354/ 504/ 506 of the IPC read with Section 3(i)(r)(s) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989. On the contrary, the petitioners also filed Gopalpur P.S. Case No.145 of 2018 dated 25.06.2018 under Sections 147/ 148/ 149/ 341/ 323/ 379/ 385/ 427/ 504 of the IPC.

3. On perusal of the story made out in the FIR in connection with Gopalpur P.S. Case No.318 of 2023, it transpires that the petitioners sold out his property to his daughter-in-law by executing a registered deed of conveyance.

4. On the other hand, the petitioners are claiming the subject land as of their own on the basis of certain deeds, therefore, the real issue between the parties is civil in nature.

5. In view of the such circumstances, I do not find any semblance of criminal liability against either of the parties. The criminal cases were filed by both the parties as a measure of coercion against their adversary. There is prima facie no ingredient of offence under the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act as alleged by the



informant, the respondent no.9 herein.

6. In view of such circumstance, both Gopalpur P.S. Case No.318 of 2023 dated 23.05.2023 and Gopalpur P.S. Case No.145 of 2018 dated 25.06.2018 be quashed.

7. Since the dispute is essentially civil in nature, parties are at liberty to take necessary steps before the competent civil court.

8. With the above order, the instant criminal writ petition is disposed of.

(Bibek Chaudhuri, J)

Prakash Narayan

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