

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7374 of 2019

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

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1. Chandeshwar Giri Son of Muneshwar Giri Resident of Village - Chaknizam @ Adharpur tole Jogiamath, P.S. - Samastipur, Distt - Samastipur.
 2. Muneshwar Giri Son of Late Keshwar Giri Resident of Village - Chaknizam @ Adharpur tole Jogiamath, P.S. - Samastipur, Distt - Samastipur.
 3. Chandra Shekhar Giri Son of Muneshwar Giri Resident of Village - Chaknizam @ Adharpur tole Jogiamath, P.S. - Samastipur, Distt - Samastipur.
 4. Ram Kumar Son of Muneshwar Giri Resident of Village - Chaknizam @ Adharpur tole Jogiamath, P.S. - Samastipur, Distt - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surya Narayan Roy
For the Opposite Party/s : Mr. Jharkhandi Upadhyay

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 10-04-2025 Heard the learned counsel for the petitioners and the learned APP for the State.

2. This is an application for quashing of the order dated 22.01.2016 passed by the learned SDM, Samastipur in MR No. 31 of 2016 and also the order dated 27.09.2018 passed by the learned 3rd Addl. Sessions Judge, Samastipur passed in Cr. Case No. 165 of 2016 / 58/2016.

3. It has been submitted by the learned counsel for the petitioners in course of his argument that a partition suit is going on with regard to the same land.



4. In my opinion when a partition suit is pending, the present application is not maintainable.

5. Accordingly, this application is dismissed with liberty to the petitioners to approach the concerned Court in which the partition suit is going on for appropriate relief/interim order.

(Sandeep Kumar, J)

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