

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16793 of 2015

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

Indradeo Sah S/o Late Mulhai Sah Resident of Village - Bahiwara Rupnath,
P.S. Saraiya, District - Muzaffarpur.

... .. Petitioner/s

Versus

1. The State Of Bihar Through Chief Secretary, Govt. Of Bihar, Patna and Ors
2. District Magistrate, Muzaffarpur.
3. Sub Divisional Officer, Muzaffarpur West.
4. Sheo Sagar Sah S/o Ram Prit Sah
5. Ram Prit Sah S/o Late Mulhai Sah Both residents of village - Bahilwara Rupnath, P.S. Sariya, District - Muzaffarpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar, Advocate
For the Opposite Party/s : Mr. C. Jawahar App
Mr. Manoj Kr Manoj, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

12 17-04-2025 Heard the learned counsel for the petitioner, the learned counsel for the State; Sri Jharkhandi Upadhyay and the learned counsel for the O.P. No. 05.

2. This application has been filed for quashing the order dated 27.04.2014 passed by the Executive Magistrate, Muzaffarpur West in Case No. M 1607 of 2006 as well as for quashing of the order dated 04.02.2015 passed by the 9th Additional Sessions Judge, Muzaffarpur in Cr. Revision No. 134 of 2014 and declared the possession of opposite party over the disputed land mentioned in a proceeding under Section 145 of



Cr.P.C.

3. The only grievance of the petitioner is that by the impugned order dated 04.02.2015, the 9th Additional Sessions Judge, Muzaffarpur has dismissed the revision on the ground of delay and laches.

4. In my opinion and in the interest of justice, the revision petition ought to be heard and decided on merits. Hence, the matter is remitted back to the concerned Court below for fresh hearing.

5. The 9th Additional District and Sessions Judge, Muzaffarpur or any other Additional District and Sessions Judge, Muzaffarpur will hear the case on its merits and decide the same within two months of communication of this order.

6. If the records are not traceable in the District Court then the parties will assist the Court below for reconstruction of the records.

7. With the aforesaid observations and directions, this application is disposed of.

(Sandeep Kumar, J)

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