

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72633 of 2024

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

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Rafique Alam MD. Shajad Alam Resident of Mohalla- House no 65, 2,
Nohasa PS- Phulwari Sharif District - Patna

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Patna Bihar
2. The Sub Divisional Officer, Patna Bihar
3. The Circle Officer, Phulwari Patna Bihar
4. Anwar Imam S/o- Late Mazaharul Haque Village- Nohasa PS- Phulwari Sharif District - Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gautam Kumar Yadav, Adv
For the Opposite Party/s : Mr. Ahmad Ali, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 28-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The present application has been preferred by the petitioner for quashing of the order dated 16.05.2024 passed by learned Sub Divisional Officer, Patna vide Memo No. 2807 dated 06.08.2024 by which the proceedings under Section 144 of the Cr. P.C. which was initiated on the basis of the petition filed by the O.P. No. 4 upon the land of the petitioner, was finally disposed of deciding title and interest in favour of the O.P. No. 4 and restrained the petitioner and others to go upon the disputed land.



3. At the outset, learned counsel for the petitioner submits that the impugned order dated 16.05.2024 has been challenged by filing the present application which arises out of the proceedings under Section 144 of the Cr. P.C. and he fairly submits that the period of the said order has lapsed and lost its effect, however, he has submitted that the aggrieved parties may be granted liberty to approach the appropriate Court for redressal of their grievances as the dispute with regard to title cannot be settled in a proceeding under Section 144 of the Cr. P.C.

4. In view of the fact that the impugned order dated 16.05.2025 has already been lapsed and lost its effect, there is no point to continue with the present application.

5. Accordingly, this application is disposed of granting liberty to the petitioner as well as the other side that if there is any dispute with regard to the title of the property, the same may be settled by filing appropriate application before an appropriate forum.

(Sourendra Pandey, J)

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