

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8176 of 2024

Arising Out of PS. Case No.-171 Year-2022 Thana- CHANPATIA District- West Champaran

1. ASHOK YADAV SON OF DEVNANDAN YADAV R/O-MISKAR TOLA, WARD NO. 14 P.S.-CHANPATIA, DISTT.-WEST CHAMPARAN AT BETTIAH
2. RANJIT YADAV SON OF RATAN YADAV R/O-MISKAR TOLA, WARD NO. 14 P.S.-CHANPATIA, DISTT.-WEST CHAMPARAN AT BETTIAH
3. RAMLCHANDRA YADAV SON OF LATE JAGDEO YADAV R/O-MISKAR TOLA, WARD NO. 14 P.S.-CHANPATIA, DISTT.-WEST CHAMPARAN AT BETTIAH
4. AKHILESHWAR KUMAR YADAV @ AKLESH YADAV SON OF LATE GAJAR YADAV R/O-MISKAR TOLA, WARD NO. 14 P.S.-CHANPATIA, DISTT.-WEST CHAMPARAN AT BETTIAH

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Ajeet Kumar Bhardwaj, Advocate
For the Opposite Party	:	Mr. Pawan Kumar Chaurasia, APP

CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

2 10-03-2026 Heard the parties.

2. This application under Section 482 of the Cr.P.C. has been filed by the petitioners seeking quashing of the order dated 17.07.2023 passed by learned Additional District and Sessions Judge Vth, West Champaran, Bettiah in Cr. Rev. No. 105 of 2022, whereby the cognizance taken by the learned Chief Judicial Magistrate in Chanpatia P.S. Case No. 171 of 2022 vide order dated 09.06.2022 has been set aside with a direction to pass a reasoned order afresh.

3. Learned counsel for the petitioners submits that the



parties are agnates and there is a dispute over title and possession over a piece of land, the land being claimed by the petitioner's side. There is counter version of the FIR and the prosecution side were the aggressors.

4. Learned counsel for the State has vehemently opposed the application and has submitted that from the impugned order itself it would reflect that the injury report of the injured Baldeo Kumar Yadav, which is available at paragraph 25 of the case diary, although being simple in nature, but has been caused by a sharp cutting weapon, which is corroborated by the allegation as made in the FIR.

5. Considering the fact that a criminal act has been committed although due to land dispute between the parties resulting into injures being sustained by the injured person and the case of the petitioners primarily rests upon their defence, which can be adjudicated in the trial itself, this Court does not find any occasion to interfere with the impugned order, at this stage.

6. This application is dismissed.

(Praveen Kumar, J)

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