

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.346 of 2026

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1. Manoj Kumar Singh Son of Narmadeshwar Prasad Resident of village - Ishmela, P.S.- Dighwara, District - Saran at Chapra at present residing at Jai Nagar, Ward No.2, Near Gosala Marg, P.S.-Jai Nagar, District - Madhubani.
 2. Mukesh Kumar Singh Son of Narmadeshwar Prasad Resident of village - Ishmela, P.S.- Dighwara, District - Saran at Chapra at present residing at Jai Nagar, Ward No.2, Near Gosala Marg, P.S.-Jai Nagar, District - Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary General Administration Department, Bihar
2. The Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna, Bihar
3. The District Magistrate, Saran at Chapra, Bihar
4. The Superintendent of Police, Saran at Chapra, Bihar
5. The Sub-Divisional Magistrate, Sonepur Division, Saran at Chapra, Bihar
6. The Circle Officer, Dighwara, Saran at Chapra, Bihar
7. The Station House Officer, Dighwara Police Station, Saran at Chapra, Bihar
8. Sanjay Kumar Singh Son of Lakhandev Singh Resident of village - Ishmela, P.S.- Dighwara, District - Saran at Chapra.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Dewendra Narayan Singh, Advocate
For the Respondent/s : Mr.Iqbal Asif Niazi, AC to GP-5

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 16-07-2026 Heard learned counsel for the petitioners.

02. Learned counsel for the petitioners submits that he has been asked to vacate the land pertaining to Khata No. 12, 47 Khesra No. 978, 979 measuring area 75 ft. long from North to South and 15 ft. wide from East to West situated in Village- Kanakpur, Tola-Ishmela though he has sold out the said land. Learned counsel however submits that it is the purchased land



and is under his possession for last 15 years. Learned counsel further submits that on application of respondent no. 8, the Sub-Divisional Magistrate, Sonapur, Saran at Chapra has passed the order dated 07.08.2024 under Section 147 of the CrPC in Case No. 1037 of 2023 directing the petitioner to vacate their land.

03. Learned counsel appearing on behalf of the State/respondents submits that the petitioner did not join the proceedings under Section 147 CrPC and has come up before this Court for the first time. Learned counsel also submits that the land in dispute was being used by respondent no. 8 and others as a pathway and finding the material regarding exercise of right of way over the said land, the learned Sub-Divisional Magistrate, Sonapur, Saran at Chapra has passed the order dated 07.08.2024.

04. Perused the record.

05. From the perusal of record, I find that the order against which the petitioners have approached this Court is a revisable order and when an alternative and equally efficacious remedy is available, a writ petition could not be entertained. Therefore, finding the fact that the petitioners have approached this Court though having an alternatively efficacious remedy, I am not inclined to entertain the present writ petition and hence,



the same is dismissed.

06. It is made clear that the petitioners can have the recourse of law in appropriate proceeding before appropriate forum against the impugned order.

(Arun Kumar Jha, J)

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