

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46265 of 2021

Arising Out of PS. Case No.-282 Year-2018 Thana- WARISNAGAR District- Samastipur

1. ANITA DEVI W/O RAM SEVAK MAHTO R/o village- Magardahi Ghat, Ward No. 18, Town Samastipur, P.S.- Samastipur Town, District- Samastipur
2. RAM SEVAK MAHTO S/O LATE BRAHMDEO MAHTO R/o village- Magardahi Ghat, Ward No. 18, Town Samastipur, P.S.- Samastipur Town, District- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ranjeet Kumar Mishra S/O Late Shrikant Mishra R/O Vill- Sari, P.S- Warisnagar (Mathurapur) District- Samastipur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vaishnavi Singh
For the Opposite Party/s : Mr. Satya Nand Shukla

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

5 03-02-2026 Heard the parties.

2. The present application has been filed on behalf of the petitioners for quashing the order dated 06.03.2021 passed by the learned Additional District and Sessions Judge-V, Samastipur in Cr. Revision No. 876 of 2019 arising out of Warisnagar P.S. Case No. 282 of 2018.

3. In the present case, both the parties claim the ownership of the land in question from which the wood was chopped. The petitioners claim his land through a sale deed and the opposite party no. 02 claims his land as ancestral land and he alleges that the land in question has wrongly been sold by his



cousin brother without partition with the opposite party no. 02 and the wood has been cut from the tree which was standing on the land.

4. From the aforesaid, it appears that there is a dispute over title of the land in question and before releasing the wood, it has to be decided that in whose favour the same shall be released.

5. In view of the above, this application is dismissed with liberty to the parties to move the District Court for declaration of title and interest over the land in question on which the tree was standing from which the wood was chopped. So far as the the wood in question is concerned, which is lying after cutting, the police is directed to get the same auctioned by the forest department and the proceeds of the auction shall be kept in Fixed Deposit which shall be released in favour of the successful party in the District Court in Title Suit.

(Sandeep Kumar, J)

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