

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46498 of 2022

Arising out of PS. Case No.-659 Year-2021 Thana- RUPASPUR District- Patna

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1. Bauaa Nand Rai @ Upendra Rai Son of Shivji Rai Resident of village - Sobarna, P.O.- Sherpur, P.S.- Maner, District - Patna.
 2. Shivji Rai Son of Sitablal Rai Resident of village - Sobarna, P.O.- Sherpur, P.S.- Maner, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Director General of Police, Bihar, Patna. Bihar
2. The Senior Superintendent of Police, Patna. Bihar
3. The Station House Officer, Rupaspur Police Station, Patna. Bihar
4. Shila Kumari Wife of Kishore Kumar Verma R/o- Bhadeji, P.S.- Mufassil, District - Gaya, Contact no.- 9431358883, 7368086676.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Surj Bansh Roy, Adv.
For the State	:	Mr. Ashok Kumar Singh, APP
For the informant	:	Mr. Ram Naresh Singh, Adv. Shri Anurag Pandey, Adv.

CORAM: HONOURABLE MR. JUSTICE ANSUL
ORAL ORDER

5 12-05-2026 Heard learned counsel for the petitioners, learned counsel for the informant and learned Additional Prosecutor for the State.

2. The petitioners are aggrieved by an order dated 28.05.2022 passed in ABP No. 1061 of 2022 by learned Additional District and Sessions Judge-VI, Patna in connection with Rupaspur P.S. Case No. 659 of 2021 registered for the offences under Sections 477, 468, 471, 420 and 385/34 of the Indian Penal Code. They are aggrieved with some observations



made in the order of learned Sessions Judge to vacate the land bearing Khata No. 661, Khesra No. 652 situated at Surya Bihar Colony behind Paudar Tiles Factory, Rupaspur, Patna from the possession of the petitioners and to hand over the possession of the land to the informant.

3. The petitioner has challenged the order in a criminal case under Section 482. Against the order impugned, he moved the Hon'ble High Court where he was allowed Anticipatory bail but no order has been passed on this issue despite the same being there before the Court. It is worthless to enter into discussion on Res Judicata and constructive Res Judicata over here. In the opinion of this Court, the matter ends there.

4. This Court has no jurisdiction to entertain an application which calls into question the order of a Co-ordinate bench impliedly. This application is thus devoid of merit and is accordingly dismissed.

(Ansul, J)

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