

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36471 of 2022**

Arising out of PS. Case No.-734 Year-2008 Thana- SAMASTIPUR District- Samastipur

Dev Narayan Prasad, Son of Ram Pratap Mahto, R/o- Punjabi Colony, Gali No.-1, P.S.- Town, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rameshwar Prasad Mahto, Son of Ram Pratap Mahto, R/o Village - Chand-harpur, P.S.- Kalyanpur, District- Samastipur

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Kaushal Kumar, Advocate
For the State	:	Mr. Shyameshwar Dayal, APP
For the OP No. 2	:	Mr. Bijay Bhushan Prasad, Advocate

**CORAM: HONOURABLE MR. JUSTICE ANSUL
ORAL JUDGMENT**

Date : 11-03-2026

Heard Mr. Kaushal Kumar, learned counsel for the petitioner, Mr. Bijay Bhushan Prasad, learned counsel for the informant and Mr. Shyameshwar Dayal, learned Additional Public Prosecutor.

2. Petitioner seeks quashing of the order dated 09.05.2022 passed by learned Sessions Judge, Samastipur in Cr. Rev. No. 137 of 2022 in connection with 734 of 2008.

3. The prosecution case is that the informant was representing himself in a civil case before the Court for making necessary pairavi and when his son was standing in premises of the Court the accused persons used filthy language, assaulted and snatched gold chain.



4. Learned counsel for the petitioner submits that in the backdrop of land dispute and pending litigation between the parties, they have filed cases against each other and the title suit is pending before the Court of Sub-Judge-I, Samastipur bearing Title Suit No. 104 of 2008. It seems that the petitioner is accused in Samastipur (Town) P.S. Case No. 734 of 2008 and the petitioner has filed Samastipur (Town) P.S. Case No. 720 of 2008 against the informant and others. It appears that both the cases are frivolous in nature in order to create pressure upon each other in civil dispute. He further submits that in the interest of the parties both the cases filed by each other be quashed.

5. Learned counsel for the informant as well as learned Additional Public Prosecutor also submits that both the cases be quashed in the interest of justice.

6. Though the prayer here is only for quashing of Samastipur (Town) P.S. Case No. 734 of 2008 but in the interest of justice for both the parties, this Court thinks it proper to exercise power conferred under Section 482 Cr.P.C. corresponding to Section 528 BNSS. The entire proceeding of Samastipur (Town) P.S. Case No. 720 of 2008 as well as Samastipur (Town) P.S. Case No. 734 of 2008 filed by respective parties pending before the concerned Court, Samastipur is quashed and set aside.



7. Accordingly, the present petition is allowed.

(Ansul, J)

Vikash/-

AFR/NAFR	
CAV DATE	N/A
Uploading Date	
Transmission Date	

