

**IN THE COURT OF SATYA BHUSHAN ARYA, SESSIONS JUDGE, BANKA**

*Bishnu Yadav & Ors. -Versus- State of Bihar & Anr.*

*Criminal Revision No. 72 of 2025*

*Date of filing : 17.12.2025*

*Date of order : 09.04.2026*

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1. *Bishnu Yadav*
  2. *Laloo Yadav*
  3. *Shaligram Yadav, all sons of late Shyamlal Yadav*
  4. *Bajrangi Yadav son of Shaligram Yadav*
  5. *Mahendra Yadav*
  6. *Bhusan Yadav*
  7. *Binay Yadav, all sons of late Mohan Yadav*
  8. *Gulshan Yadav son of Bishnudev Yadav*
  9. *Rajkumar Yadav*
  10. *Praphul Yadav, both sons of Dukhan Yadav*
  11. *Santosh Yadav*
  12. *Mantosh Kumar Yadav, both sons of Bhusan Yadav*
  13. *Dharmendra Yadav son of late Prayag Yadav*
  14. *Sanjay Yadav son of late Adhik Yadav*

*All resident of villge Mahua, P.S. Panjwara, district Banka*

*..... Petitioners/Revisionists*

*-Versus-*

1. *State of Bihar*
2. *Shambhu Payik son of late Ganesh Payik, resident of village Mahua, P.s. Panjwara, district Banka*

*.....Opposite Parties*

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*Present : - Sri Sunil Kumar Singh, Advocate for the Petitioners*  
*Sri Randhir Prasad Singh, Additional P.P. for the State*  
*Sri Binod Pandit, Advocate for the O.P. No. 2*

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### **ORDER**

1. *This is a criminal revision came today for final, which is filed by the revisionists against the order dated 11.08.2025, passed by learned SDM, Banka in Miscellaneous Case No. 1013 of 2025.*

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2. Upon a police report, learned SDM, Banka initiated proceedings under Section 126 BNSS, against the revisionists vide order dated 11.08.2025. Disgruntled with the said order, revisionists filed present revision application on the ground that learned SDM before passing impugned order has not complied with the mandatory provisions of Sections 129 and 130 BNSS.

3. On perusal of the case record, it is evident that learned SDM has started proceedings under Section 126 BNSS on the basis of police report and issued impugned order upon a printed performa by mere mentioning that “for the land appertaining to Mouza Mahua, Thana No. 367, Khata No. 34, Khesra No. 896, Area 0.25 decimal, there is serious tension between both the parties and there is possibility of breach of the public peace”, which is not at all tenable in law. Every order passed by judicial or quasi judicial authority must be speaking and reasoned on the force of its own facts.

4. Keeping in view the above revision petition is allowed, resultantly, impugned order dated 11.08.2025, passed by the learned SDM, Banka is hereby set aside.

5. File be consigned to record room and that of trial court be sent back with a copy of this order after due compliance.

*Dictated*

*(Satya Bhushan Arya)*  
*Sessions Judge, Banka*