

IN THE COURT OF ADDITIONAL SESSIONS JUDGE III,
DISTRICT:-GOPALGANJ (BIHAR)

Cri. Revision No. 407 of 2025

(Revision against the order dated 28.02.2025 passed by the Id. S.D.M., Gopalganj).

In the matter of :-
Virendra Singh,

Resident of Village Rampur, P.S.
- Sidhwaliya, District - Gopalganj.
:-----Revisionist.

Versus.

The State of Bihar,

:-----O.P.

Ld. Counsel for Revisionist :- Shri Vijay Pratap Singh, Adv.
Ld. Counsel for Opp. Parties :- Id. Addl. P.P.

Date of order, 05th June, 2026

P r e s e n t:-

Rajendra Kumar Pandey,
District and Addl. Sessions Judge-III,
District – Gopalganj.

ORDER

1. This instant Cri. Revision No. 407 of 2025 is directed against impugned order dated 28.02.2025 passed by the Id. S.D.M., Gopalganj, pertaining to M. Case No. 380/2025 u/s. 126 of B.N.S.S.

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2. The revisionist being aggrieved by and dis-satisfied with the impugned order dated 28.02.2025 passed by the learned S.D.M., Gopalganj prefer the instant Cri. Revision amongst the following grounds:-

(i) That the order passed by the Id. Court below is bad in the eye of law and facts of the case and impugned order dated 28.02.2025 passed by Id. S.D.M., Gopalganj is based on surmises and conjectures.

(ii) That Id. S.D.M. Gopalgnaj has not applied his judicial mind at the time of proceeding.

(iii) That the Id. Lower Court has passed this order on the basis of police report and report upon which the instant proceeding has been drawn does not contain any over-tact and there is land dispute between the parties.

(iv) That the order passed by the Id. S.D.M., Gopalganj, has not complied the mandatory provisions laid down u/s. 130 & 133 of B.N.S.S.

(v) That the impugned order is otherwise erroneous and bad in the eye of law as well as on the fact both and Id. Court has been drawn the proceeding on the basis of speculation and conjectures which is fit to be dismissed.

3. Heard the learned counsel as well as State of Bihar through Id. A.P.P. and perused the case record. After perusal of the case record, it transpires that the learned S.D.M., Gopalganj, has passed the impugned order dated 28.02.2025 which is in printed

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pro-forma in which someone else has inserted words in the space “Bhumi Vivad Ko Lekar Tanav Chal Raha Hai” and all the words used in the blank space are someone else handwriting. It also appears that the learned Magistrate has initiated proceeding under Section 126 of B.N.S.S. for maintaining peace and security and ordered that both parties shall appear in the court and file show cause on the date fixed i.e. 10.03.2025 that why not for keeping peace bond of Rs. 1 lakh will be executed. In the present impugned order dated 28.02.2025, even the learned S.D.M., Gopalganj, does not apply his mind or does not assign any reason while passing the order in any capacity i.e. administrative or quasi judicial. It is well settled principle of law that the revision of interlocutory order is not maintainable. According to Section 135(6) of B.N.S.S. the inquiry under the section shall be completed within a period of six months from the date of its commencement and if such inquiry is not so completed, the proceeding under the Chapter shall on the expiry of the said period stand terminated. In the instant case, no any document is present that whether the inquiry was completed in six months or not as order was passed on 28.02.2025. Hence the Criminal Revision filed by the revisionist is devoid on merit. Hence this Cri. Revision is dismissed as infructuous.

4. Therefore, it is hereby

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ORDERED

that the instant Cri. Revision No. 407 of 2025 filed by the revisionist is hereby disposed of as stated above.

Let the copy of the order be sent to the ld. court concerned.

Dictated and corrected by me

(Rajendra Kumar Pandey)
Addl. Sessions Judge- III
Gopalganj.
05-06-2026

Dictated by me

(Rajendra Kumar Pandey)
Addl. Sessions Judge- III
Gopalganj.
05-06-2026