

**CRIMINAL REVISION**

**In the Court of District and Additional Sessions Judge-III, Jhanjharpur  
District: Madhubani**

**Present : ANIL KUMAR RAM  
DASJ-III, Jhanjharpur**

*Dated, Jhanjharpur, the 10<sup>th</sup> June, 2026*

**[Cri. Revision No. - 214/2023]  
arising out of GR Case No. 944/2021**

1. Md. Nayim, aged about 26 years, S/o Md. Basir
  2. Md. Nazam, aged about 24 years, S/o Md. Basir
  3. Md. Abdul Kalam, aged about 21 years, S/o Md. Basir
  4. Md. Basir, aged about 58 years, S/o Md. Abdul Gafar
- All Ro Vill- Laukaha, PS- Laukaha, District-Madhubani

-----**Petitioners/ Revisionists**

Vs.

1. State of Bihar.....**O.P 1<sup>st</sup> party**

2. Indu Devi, W/o Rajeev Kumar

R/o Village-Laukaha, P.S.-Laukaha, Distt-Madhubani

..... **O.P 2<sup>nd</sup> Party**

Ld. Lawyer for State : Sri. Deo Shankar Jha, Ld. A.P.P.

Ld. Lawyer for Revisionist/petitioner :Sri. Bipin Kumar Jha, Ld. Advocate

**ORDER**

1. The learned counsel for both parties are present.
2. Being aggrieved and dissatisfied with the impugned cognizance order dated 21.02.2023 passed in GR No. 944/2021 whereby and where under cognizance has been taken against the petitioners under Section 323, 341, 379, 384, 448, 504, 506/34 of IPC by S.D.J.M, Jhanjharpur, without considering and appreciating the fact and has prayed to set aside the above said cognizance order.

3. From the order sheet, it appears that this revision has been admitted on 15.01.2024 and LCR has been received on 04.06.2026.
4. Heard, Ld. Counsel for the petitioner/revisionist and Ld. Addl.PP for the State and Ld. Private Counsel for OP.
5. The learned counsel for the revisionist has preferred revision on the following grounds:-

### **GROUND**

- (i) For that the learned S.D.J.M. Civil Court Jhanjharpur, has taken the cognizance against the applicants in hate host and it is to be noted here that police submitted the charge sheet against only two petitioner (1) Md. Basir aged about 58 years S/o Late Gafar (2) Md. Najam aged about 24 years S/o Md. Basir of Village- Laukaha, P.s.-Laukaha, Distt.- Madhubani, U/S- 341, 323, 447, 504, 506/34 of IPC and dis-believe the offences against two petitioners namely (1) Md. Nayim S/o Md. Basir (2) Md. Abdul Kalam S/o Md. Basir, during investigation and also submitted the charge sheet against two accused namely Md. Basir and Md. Najam but the learned S.D.J.M., Jhanjharpur took cognizance against all F.I.R named accused and it is further stated that police submitted the charge sheet U/S 341, 323, 447, 504, 506/34 I.P.C. but the learned S.D.J.M. pleased to took cognizance U/S 323, 341, 379, 384, 448, 504, 506/34 I.P.C.
- (ii) For that due to land disputes and previous enmities the informant filed the false case against the petitioners and it is to be noted here that the petitioner Md. Basir also filed a case against the informant vide T.S. case no.-227/2021 pending in the court of Sub Judge-I, Jhanjharpur.
- (iii) For that as per the enquiry evidence no case made out against the petitioners U/S 323, 341, 379, 384, 448, 504, 506/34 of the I.P.C.
- (iv) For that no prima facie case make out against the applicants U/s 323, 341, 379, 384, 448, 504, 506/34 I.P.C. the learned court S.D.J.M. Jhanjharpur taking cognizance U/S- 323, 341, 379, 384, 448, 504, 506/34 of I.P.C. vide order dated 21.02.2023.
6. The learned counsel for OP has opposed the case and has prayed to dismiss the revision petition.
7. Perused the case record, the submissions of both the parties and other materials available on the case record and impugned order dated 21.02.2023 and found that Ld. Court of SDJM, Jhanjharpur has taken cognizance against accused namely Md. Nayim, Md. Nazam, Md. Abdul Kamal and Md. Baasir U/S- 323, 341, 379, 384, 448, 504, 506/34 of I.P.C. At this stage court has to see only prima facie case against the accused persons and there should not be any meticulous examination of evidence. The Ld. Counsel for the petitioner/revisionist has not pointed out any illegality in the impugned order. Hence this court is of the view that impugned order

has been rightly passed by the learned trial court and there is no need of interference by this court.

**ORDER**

8. Accordingly, this court does not find illegality, irregularity, incorrectness or impropriety in the impugned order dated 21.02.2023 passed by Ld. SDJM, Jhanjharpur, in GR case 944/2021 and hence impugned cognizance order is hereby upheld. In the result, this criminal revision petition is hereby dismissed. Office is directed to send the LCR along with copy of this order to learned trial court/ Successor Court immediately and consign the case record of Criminal Revision in record room.

Dictated

(ANIL KUMAR RAM)  
DASJ-III, Jhanjharpur  
Date-10.06.2026