

In the court of Sessions Judge, Munger

Criminal Revision 23 of 2026

Rajendra Kumar Sah & others Vs. The State of Bihar & other

Arising out of Complaint Case No. 704c/2024

01.06.2026

1. The present Criminal Revision has been preferred against the order dated 09.02.2026 as passed by Ms. Ananya, Ld. J.M.-Ist Class, Munger in Complaint Case No. 704c/2024 wherein the Ld. Trial Court found prima facie case u/s 336 of B.N.S and directed summons against the accused persons/revisionists.
2. Briefly the complainant's case is that his predecessor, namely Bodhan Mandal, had purchased 2.30 ½ Decimals of land through a registered sale deed dated 05.11.1959 from one Hari Sah and others, and since then, the family of the complainant has been in continuous peaceful possession of the said property. It is alleged that the accused persons/revisionists, having no right, title, or interest over the subject property, pursuant to a criminal conspiracy to grab the said land allegedly executed a forged and fabricated sale deed on 12.06.2012 for 63 Decimals of the said land in favour of one Angraj Kumar Sah, despite the land originally belonging to the complainant's predecessors. Subsequently, on 03.07.2014, Angraj Kumar Sah, on the basis of the said forged deed, further executed another sale deed in favour of his paternal grandmother, Sonamani Devi. Thereafter on the basis of these forged documents, the accused persons/revisionists filed a Measurement case No. 04/13-14 before the Circle Officer, Sadar Munger, but the proceedings were deferred. Further on 28.06.2024 at about 10:00 AM, when the complainant along with his witnesses went to the house of the accused persons to enquire about their continuous attempts to usurp the land under the Measurement case No. 13/2024-25, at that time the accused persons abused the complainant and further threatened him of dire consequences. Hence present complaint case was preferred in which the Ld. Trial Court took cognizance in the case u/s 336 of B.N.S against the accused persons/revisionist vide the impugned order dated 09.02.2026 and the same stands impugned in the present criminal revision.
3. The Ld. Counsel for the revisionists submits that the impugned order is erroneous and has been passed without considering the material available on the record. That though a notice u/s 223 of B.N.S.S. was directed qua the revisionists yet they were not give a fair hearing on the same. That the correct fact is that of the two kinds of ancestral land one is Khatiyani land which was not sold to Bodhan Mandal, the ancestor of the complainant/opposite party and it is this land the complainant/opposite parties claiming as is own. Further he submits that this land belongs to the accused revisionists herein. That the second nature of land was purchased by late Hari Saw which was in fact sold

In the court of Sessions Judge, Munger

Criminal Revision 23 of 2026

Rajendra Kumar Sah & others Vs. The State of Bihar & other

Arising out of Complaint Case No. 704c/2024

to one Bodhan Mandal who was ancestor of complainant/opposite party. He further submits that the complainant had also preferred a Jamabandi Cancellation Case No. 24/2017-18 which was however dismissed. Therefore, in view of the above, he submits that the impugned order be set aside.

4. The Ld. Counsel for the complainant/opposite party had appeared and submits that the impugned order is legal and proper. He submits that the accused/revisionists had pursuant to a notice u/s 223 of B.N.S.S. appeared in the case and filed their objections which are on the record. That after considering the entire material available on the record, the Ld. Court passed the impugned order which is proper and free from any perversity or illegality.
5. The Ld. A.P.P. opposed the prayer and submitted that the impugned order is legal and improper.
6. In the present case, the contention as raised by the revisionists is that they have not been granted sufficient opportunity as per the mandate of section 223 of B.N.S.S. On perusal of the record, it seems that the Ld. Trial Court directed Notices to the accused/revisionists u/s 223 of B.N.S.S. and subsequently they entered appearance in the case on 11.03.2025 and filed their written objections. That subsequently as per the endorsement on the ordersheet they had also appeared before the Ld. Trial Court on 08.05.2025 for hearing. Thereafter the accused/revisionists remained absent and subsequently the Court passed the impugned cognizance order. On perusal of the record, in my view, the mandate of section 223 of B.N.S.S. has been sufficiently complied with and sufficient opportunity has been granted to the revisionists herein. Hence, I do not find any error in the impugned order. The other grounds raised are matter of trial and need not be discussed herein.
7. Therefore, considering the record, the submissions of the respective Ld. counsels and in the totality of the facts and circumstances of the case, I do not find any illegality and perversity in the impugned order, as such the present Criminal Revision is hereby **Rejected**.

Dictated

(ALOK GUPTA)
Sessions Judge, Munger
01.06.2026