

**IN THE COURT OF DISTRICT AND ADDL. SESSIONS JUDGE II, PURNEA**  
**CRIMINAL REVISION NO. 72 OF 2025**  
**CIS NO.- 72 OF 2025**

*(Arising out of order dated 18.04.2024 passed by Sri Md. Arwaj Ansari, J.M. 1st class, Purnea, in Sarsi P.S Case no. 222/2023, GR 5968/2023 against issuance of process after taking cognizance vide order dated 18.04.2024)*

1. RAJENDRA YADAV AND OTHERS .....PETITIONER

VERSUS

1. STATE OF BIHAR  
2. MANOJ YADAV, S/O - YOGENDRA YADA .....OPPOSITE PARTIES

On behalf of the petitioner : Sri Manoj Kumar, Ld. Advocate

On behalf of the O.P : Sri Rahul Raja, Ld. APP & Sri Ratneshwar Kr. Singh.

Purnea, dated, 21<sup>st</sup> day of April, 2026.

**ORDER**

**21.04.2026**

1. This criminal revision is directed against the order dated 18.04.2024, passed by Sri Md. Arwaj Ansari, J.M. 1st class, Purnea, in Sarsi P.S Case no. 222/2023, GR 5968/2023 whereby and wherein the ld. magistrate had taken cognizance against the petitioners and had order for issuance of process for their appearance.

2. Learned counsel on behalf of the petitioners submitted that the impugned order passed by the court below was bad in law as well as on facts, and was arbitrary and bad in law, passed in a mechanical manner, as the petitioner no. 2 was on duty in Civil Court Araria, when Hon'ble Justice Sri C.P Singh was on a visit in support of which fact a certificate has also been issue by the District and Sessions Judge, Araria. Further on the said date of occurrence petitioners no. 6 to 10 were juvenile and their implication was neither supported by any of the witnesses in course of investigation. As a matter of fact the informant is nephew of petitioner no. 1 and cousin of except petitioner no. 4 who had no concern regarding the said land and consequent alleged occurrence. Prior to this case one of the accused namely Vivek Yadav had filled a BT Act Case no. 12/2020-21 and during the dependency the informant had purchased the said place of occurrence land. Hence let the impugned order dated 18.04.2024 be set aside.

3. The Learned Addl. P.P objected and said that after applying its judicial mind the ld. court below had taken the cognizance rightly which is proper, within jurisdiction and just one and the contentions raised by the ld. counsel on behalf of petitioners is a subject matter of trial. The private ld. counsel on behalf of opposite party also submitted the same.

4. The case record, fixed for argument. Today in course of hearing the ld. counsel on behalf of petitioners filed a petition, serving its copy to the opposite party also and prayed to withdraw the instant criminal revision as there was certain legal mistakes in the petition.

The ld. counsel on behalf of opposite party did not submit anything on this point neither the ld. Addl. P.P.

5. Heard both the sides and perused in the facts and circumstances as narrated above, considering the prayer of ld. counsel of petitioners regarding commission of legal mistakes which could prejudice the petitioners for no fault of theirs, in the interest of justice accordingly the instant criminal revision is dismissed with a permission to the petitioners to file another proper and legal petition of criminal revision, if advised by their counsel.

6. With the above said observations and finding the instant criminal revision is dismissed.

7. Copy of this order be sent to the concerned court below presently the court of smt. Suwarna Narayan, ld. J.M, 1<sup>st</sup> class, Purnea or its successor immediately with the LCR or its copy.

8. File of present criminal revision be deposited to District Record Room , Purnea after necessary compliance.

**(DICTATED)**  
**SD/-**  
**(DESHMUKH)**  
**DISTRICT & ADDL. SESSIONS JUDGE II,**  
**PURNEA**  
**DATED 21.04.2026**