

In the Court of Sessions Judge, Saran at Chapra

Present:

Puneet Kumar Garg,
Sessions Judge,
Saran at Chapra.

Chapra, dated 6th June, 2026.

[Criminal Revision No. 154 of 2026]

1. Girja Rai,
2. Siya Rai,
Both sons of Late Binda Rai,
Resident of village – Darihara Chaturbhuj,
P.S.- Dariyapur, District - Saran.

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Revisionists.

Versus

1. The State of Bihar,
2. Rajeshwar Rai, S/o – Durga Rai,
Resident of Village – Darihara Chaturbhuj,
P.S. - Dariyapur, District – Saran.

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Opposite Parties.

Counsel for the Revisionists :- Sanaul Ahmad, Advocate.

Counsel for the State :- Sri Sarabjeet Ojha, P.P.

ORDER

06.06.2026

1. The present revision petition has been filed against the order dated 25.03.2026 passed by learned S.D.M., Sonapur, Saran whereby the learned S.D.M., Sonapur is restrained the petitioners (second party) of that case from going on the disputed land. With this observation, the proceeding has been dropped.
2. Under the power of revision, this Court has to examine the legality, correctness and propriety of the order passed by learned trial court. In this case on perusal of the order dated 25.03.2026, it transpires that after issued notice to both the parties, only first party (O.P. No. 2 in this case) appeared and filed his show-cause. Second Party (Petitioner) did not appear before the trial court. Learned trial court after perusal of the show-cause of first party and police report reached to the conclusion that possession of first party appears to be on the disputed land. After observing the said factum, the learned S.D.M.,

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Sonepur, Saran has passed injunction order against the second party.

3. On perusal of the order, this court found that there appears to be no illegality, irregularity or impropriety in the order dated 25.03.2026. Further as per section 163 BNSS learned S.D.M., Sonepur is well within his power to direct any person to abstain from a certain act or to take certain order with respect to certain property in his possession under his management. More so as per sub-section 4 of section 163 BNSS, the validity of any order passed under section 163 BNSS is of two months and the said period is already over, hence, there is no force in the impugned order now.
4. In view of the above, this Criminal revision is hereby disposed off.

File be consigned to record room.

[Dictated]

(Puneet Kumar Garg),
Sessions Judge, Saran.
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