

In the Court of Motish Kumar Singh Sessions Judge, Siwan.

Criminal Revision No. 163/2026

Arising out of M.N. No. 3220/2025 (u/s 163 of BNSS)

Md. Sajeed & another..... Revisionists

Vs.

The State of Bihar and Shyam Sundar Somani..... Respondents.

ORDER

16.07.2026

Present: learned counsel for the revisionists.

1. Ld. Counsel for the revisionists submits that the present revision application has been filed assailing impugned order dated 09.02.2026 passed by S.D.M, Siwan under section 163 BNSS. Ld. Counsel further submits that while deciding an application under 163 BNSS, learned S.D.M, Siwan erred by giving his opinion on title of land in dispute, which is beyond the competence of an executive magistrate in exercise of his jurisdiction under section 163 BNSS. Ld. Counsel also fairly submits that the order has become infructuous because two months has already lapsed after passing of this order.

2. Ld. P.P opposes prayer of the revisionist.

3. Heard and perused the record.

4. From perusal of the certified copy of the impugned order filed with this revision application, this court finds that the impugned order dated 09.02.2026 has already lost its enforceability on the date of filing of present revision petition and the same is no longer binding upon any of the parties as the same has become infructuous by efflux of time. Therefore, the present revision petition is **dismissed as infructuous ab-initio**.

5. Office is directed to consign the record of this case to record room after necessary compliance.

(Dictated)

sd/-

(Motish Kumar Singh)

Sessions Judge,

Siwan.

16.07.2026