

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.890 of 2014

Arising Out of PS.Case No. -14 Year- 2014 Thana –Bheja District- MADHUBANI

1. Jagdish Ram son of Late Bauan Ram resident of Village - Bhargama, P.S. - Bheja, District - Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Director General of Police, Bihar, Patna.
3. The Principal Secretary, Department of Home Affairs, Government of Bihar, Patna.
4. The Additional Director General of Police (Administration), Bihar, Patna.
5. The Additional Director General of Police, Darbhanga Range, Darbhanga.
6. The Deputy Inspector General of Police, Darbhanga.
7. The Superintendent of Police, Madhubani.
8. The Deputy Superintendent of Police, Jhanjharpur, District - Madhubani.
9. Block Development Officer, Madhepur, P.S. - Madhepur, District - Madhubani.
10. The Station House Officer, Bheja, District - Madhubani.

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No.13, Adv.
Mr. J.K. Bharti, Adv.

For the Respondent/s : Mr. Purnendu Singh, GP-27
Mrs. Sunita Kumari, A.C. to GP-27

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 19-03-2015

In this application filed under Articles 226 and 227 of the Constitution of India, the prayer of the petitioner as recorded in paragraph 1 of the application is as follows :-

“1. That the petitioner seeks the indulgences of this Hon’ble High Court for following reliefs :-

- (I) A Mandamus commanding the respondents concerned to arrest soon the F.I.R. named accused in connection with Bheja P.S.Case No.14/2014 dated 20/03/2014 in the district of Madhubani, in which F.I.R. has been

registered under sections 409/34 Indian penal Code, for misappropriation of government money against the accused Mantun Devi (Mukhiya), Binay Kumar Lal Das (Panchayat Sachiv) and Raushan Kumar Jha (Supplier of Solar Light).

- (II) For issuance of any other writ/writs, for granting any other relief/reliefs for which petitioner is found entitled to the facts and circumstances of the present case.”

Learned counsel for the petitioner has submitted that Bheja P.S.Case No. 14 of 2014 was registered under section 409 read with 34 of the Indian Penal Code against the accused Mantun Devi (Mukhiya), Binay Kumar Lal Das (Panchayat Sachiv) and Raushan Kumar Jha (Supplier of Solar Light) on the basis of written report submitted by the Block Development Officer, Madhepur to the Officer-in-Charge, Bheja Police Station on 20th March, 2014, but till date, the accused persons have not been arrested. He has submitted that the offence relates to defalcation of government money amounting to Rs.5,31,432/-. On enquiry, as to whether the petitioner is informant of the case, learned counsel for the petitioner has fairly conceded that the petitioner is not the informant of the case but as he is a local citizen and a Ward Member of the Panchayat concerned, he is keenly interested in prosecuting the matter.

In my considered opinion, the petitioner has got no

locus standi in the matter and as such I am not inclined to entertain the application. Accordingly, the application is dismissed.

(Ashwani Kumar Singh, J)

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