

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.68 of 2015

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Binod Kumar son of Late Krishnakant Yadav, resident of village-
Jairamparsi, P.S. Gwalpara (O.P. Arar), District Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Department of Home,
Govt. of Bihar, Patna.
2. The District Magistrate, Madhepura.
3. The Superintendent of Police, Madhepura.
4. The Sub Divisional Magistrate, Udakisunganj, District- Madhepura.
5. The Circle Officer, Anchal- Gwalpara, District- Madhepura.
6. The Officer-in-Charge, Arar O.P., P.S.- Gwalpara, District -Madhepura.
7. Mahendra Yadav
8. Deven Yadav
9. Yogendra Yadav

All are sons of Late Tapeshwari Yadav, resident of village-
Jairamparsi, P.S. Gwalpara (O.P. Arar), District Madhepura.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate

For the Respondent/s : Mr. Ajay, G.A.-12

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**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR
SINGH**

ORAL ORDER

2 31-03-2015 This application under Articles 226 and 227 of the

Constitution of India has been filed for issuance of a direction to
the learned Sub Divisional Magistrate, Udakishunganj, Madhepura
(respondent no.4) to dispose of Misc. Case No.83 of 2014 filed
under section 133 of the Code of Criminal Procedure
expeditiously considering the urgency of the matter.

It would appear from the record that the petitioner had
filed a petition on 12.9.2014 before the Sub Divisional Magistrate,
Udakishunganj, Madhepura for initiating a proceeding under

section 133 of the Code of Criminal Procedure. The Sub Divisional Magistrate, Udakishunganj, Madhepura called for a report from the Circle Officer, Gwalpara, Madhepura who submitted a report on 21.11.2014 and since then the matter is pending.

Learned counsel for the petitioner has submitted that a public road has been encroached by the private respondents due to which the petitioner and others are facing difficulty.

In my view, no useful purpose would be served either by issuing notice to the private respondents or by seeking a counter affidavit to be filed on behalf of the State.

Without entering into the merits of the case, I direct the respondent no.4 to proceed with the matter expeditiously and decide Misc. Case No.83 of 2014 at the earliest preferably within three months from the date of receipt/production of a copy of this order.

With this observation and direction, the application is disposed of.

(Ashwani Kumar Singh, J)

Md.S./-

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