

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.688 of 2014

Arising Out of PS.Case No. -null Year- null Thana -null District- VAISHALI(HAJIPUR)

Vishwanath Rai, Son of Sita Ram Rai, Resident of village + P.O. Gouspur Izra,
P.S.- Hajipur Sadar, District - Vaishali at Hajipur

.... Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna
2. The Director - cum - Inspector General of Police, Govt. of Bihar, Patna
3. Superintendent of Police, Patna
4. Sub - Inspector of Police, Police Station, Bihata
5. Brij Nandan Prasad Singh, Son of Late Gopal Singh, Resident of village -
Milkipar, P.S.- Bihta, District - Patna

.... Respondents

Appearance :

For the Petitioner/s : None

For the Respondent/s : Mr. Amaresh Kumar Sinha, AC to GA-9

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 13-02-2015

In this application filed under Articles 226 and 227 of
the Constitution of India the petitioner seeks a direction to be issued
upon the respondents to execute the non-bailable warrant of arrest
issued against an accused in Complaint Case No. C12537/2009/Tr.
634/2009 pending in the Court of Judicial Magistrate-1st Class,

Hajipur. In the aforesaid case cognizance has been taken under Section 420 of the Indian Penal Code and 138 of the N.I. Act.

The matter is pending in the Court below. The writ jurisdiction of this Court cannot be used for executing an order passed by the Magistrate.

In that view of the matter, I find no merit in the present application. Accordingly, the application is dismissed.

(Ashwani Kumar Singh, J)

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