

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.254 of 2014

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Arjun Chaudhary son of Yadu Chaudhary, Resident of Village-Gaya Saraya
Islampur, P.S.- Islampur, District - Nalanda

.... Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, Nalanda
3. The Superintendent of Police, Nalanda

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Tiwary, Advocate
For the Respondent/s : Mr. R.R. K Pandey, S.C.-29
: Mr. Nagendra Sharma, A.C. to S.C.-29

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 22-01-2015 The petitioner is informant of Islampur P.S. Case No.92
of 2012 registered for the offences punishable under sections 341,
323 and 306 read with 34 of the Indian Penal Code.

By filing the present application under Articles 226 and
227 of the Constitution of India, a prayer has been to direct the
respondents to arrest the named accused Chunnu Devi wife of
Late Sanjit Chaudhary in the aforesaid Islampur P.S. Case No.92
of 2012.

It has been contended that on conclusion of
investigation, the police have already submitted charge-sheet in
the case and the court below has issued warrant of arrest against
the named accused Chunnu Devi. It is surprising to note that the

accused of the case has not been impleaded as respondent in the present writ petition. According to the petitioner, the court below has already issued warrant against aforesaid Chunnu Devi to ensure her appearance in the case.

In my view, the extraordinary powers conferred to this Court under Article 226 of the Constitution of India cannot be used for executing the orders passed by a court of Magistrate.

The writ petition, being devoid of any merit, is dismissed.

(Ashwani Kumar Singh, J)

Md.S./-

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