

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1224 of 2015

=====

Durga Devi Wife of Shiv Shankar Singh, Resident of Mohalla- Bagtaj Khan
@ Pokhra, P.S. Town Hajipur, District Vaishali

.... Petitioner

Versus

1. The State of Bihar
2. The Superintendent of Police, Vaishali at Hajipur
3. The Deputy Superintendent of Police, Vaishali at Hajipur
4. The Officer-in-Charge of Town Police Station, Vaishali at Hajipur

.... Respondents

=====

Appearance :

For the Petitioner/s : Mr. Surendra Kishore Thakur, Advocate
For the Respondent/s : Mr. S.S.Prasad, SC-10

=====

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 15-12-2015 Heard learned counsel for the petitioner and learned
counsel for the State.

The prayer of the petitioner as narrated in para-1 of the
present application is as under:-

“(i) For issuance of writ in the nature of
mandamus for commanding and directing the
respondents authority not to disturb the peaceful
life and possession of the petitioner under the
pretext of order of attachment and 82 and 83
against the son of the petitioner as the land in
question wherein there is a house is exclusive
property of petitioner acquired by her personal
fund and her son having no interest in the said
property and not residing in the said house.

(ii) For further direction to the Respondents Authority not to disturb in the peaceful life of the petitioner on the pretext of 82 and 83 against her son who has not concern with the said property.

(iii) And for any other relief/ reliefs for which the petitioner is found to be entitled in the eye of law.”

After some arguments, learned counsel for the petitioner seeks leave to withdraw this application in order to raise all the points available to the petitioners before the Jurisdictional Magistrate in the light of the provisions prescribed under Section 84 of the Code of Criminal Procedure.

Leave is granted.

The application is disposed of.

In case an application under Section 84 of the Code of Criminal Procedure is filed before the learned Magistrate, he shall consider the same and dispose it of in accordance with law.

(Ashwani Kumar Singh, J.)

Kanchan/-

U		T	
---	--	---	--