

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.578 of 2014

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Nitesh Kumar, Son of Sri Premnath Singh, resident of village- Amhara,
Police Station- Bihta, District- Patna at present resident of Mohalla- Birla
Colony, Police Station- Phulwarisharif, District- Patna

.... Petitioner

Versus

1. The State of Bihar

2. The Director General of Police, Bihar

3. The Senior Superintendent of Police, Patna

4. The S.H.O. Phulwarisharif, Police Station- Phulwari, District- Patna

... Respondent 1st set.

5. Ram Muneshwar Prasad, Son of Late Ganesh Yadav

6. Sayendra Yadav, Son of Tipan Yadav

7. Basant Yadav, Son of Nepali Yadav,

Sl. 5 to 7 are residents of village- Jamunapur, Police Station- Bihta, District-
Patna

.... Respondents 2nd set

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate

For the Respondent/s : Mr. Avinish Nandan Sinha, GP-11

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 06-02-2015

The petitioner has filed instant application under
Articles 226 and 227 of the Constitution of India for issuance of
direction upon the respondents to execute the order passed by the
learned Judicial Magistrate 1st Class, Patna in Complaint Case
No. 194(C)/2012.

The application is thoroughly misconceived. The extraordinary jurisdiction of this Court under Articles 226 of the Constitution of India can not be misused for issuing a direction to the respondents to execute the order passed by a Judicial 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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