

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.851 of 2015

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Vinod Kumar Son of Tapeswar Sharma, resident of Village- Paleya, P.S.-
Makhdumpur, District- Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Commissioner, Magadh Division, Gaya.
3. The District Magistrate, Gaya.

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Rajesh Kumar, Advocaes

For the Respondent/s : Mr. N. Hoda Khan, SC-18

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 20-03-2015

Heard the parties.

The petitioner has approached this Court after seven years of the passing of the impugned order on 24.1.2008 and apart therefrom in view of the observation of the co-ordinate Bench of this Court in CWJC No. 52 of 2004 whereby even while affording liberty to the petitioner to satisfy the Commissioner as to the stand taken by the petitioner, it was held that any finding by the Commissioner on the issue would be conclusive, I am not persuaded to grant indulgence at this stage.

However, in case the criminal case so instituted by the petitioner on the issue draws in his favour and it is proved before the criminal court that the fire arm in question had been taken away by the accused without his knowledge or consent, the petitioner may approach the authority concerned by renewing his prayer.

The writ petition is disposed of accordingly.

(Jyoti Saran, J)

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