

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.116 of 2016

Arising Out of PS.Case No. -null Year- null Thana -null District- DARBHANGA

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Anzar Alam Khan @ Anzar Khan S/o Munif Khan resident of village -
Dhakjari, P.S. Biraul, District - Darbhanga.

.... Petitioner

Versus

1. The State of Bihar through the District Magistrate, Darbhanga.
2. The Senior Superintendent of Police, Darbhanga.
3. The Sub-Divisional Police Officer, Biraul, Darbhanga.

.... Respondents

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CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH

And

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH)

Date: 01-02-2016

On behalf of Sri Dharmendra Jha, learned

Advocate for the petitioner, it is prayed that the case may be
passed over.

The order being challenged is an order
passed under the Bihar Crimes Control Act, 1981. We went
through the pleadings. Learned counsel for the State pointed
out that this writ petition is infructuous. We agree.

By this writ petition, what has been
challenged is the order of the District Magistrate dated
28.09.2015, by which he has passed an externment order as
against the writ petitioner to keep himself out of district of
Darbhanga for the period 05.10.2015 to 05.01.2016, a period

long since expired. This writ petition was filed on 30.01.2016, after expiry of the said period of externment.

From the records, we find that this application had been ready for filing after affidavit and other formalities on 16.10.2015. No further steps were taken and it was served on the Advocate General on 25.01.2016, and filed thereafter.

In view of the facts aforesaid, we find that this writ petition had already become infructuous even before it was filed. We, accordingly, dismiss it as not maintainable.

(Navaniti Prasad Singh, J.)

(Nilu Agrawal, J.)

Rajeev/N.A.F.R.

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