

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.589 of 2016

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1. Abdul Hameed Ansari Son of Late Jafarul Haque, resident of village-
Nawaka Bazar, Dandaspur, P.S.- Janta Bazar, District- Saran

.... Petitioner/s

Versus

1. The State of Bihar, Chief Secretary, Govt. of Bihar, Patna
2. The Circle Officer Lahladpur, Chapra, Saran
3. The Sub-Divisional Magistrate Sadar, Chapra
4. The District Magistrate Chapra
5. The Superintendent of Police Chapra
6. The Officer In Charge Janta Bazar Police Station, Chapra
7. Samiullah @ Mullu @ Sainullah
8. Tasauar Ansari Both sons of Rafique Ansari Both 7 and 8 are resident of
village- Dhangarha, P.S.- Baniapur, District- Saran
9. Rafique Ansari Son of Late Alijan Mian
10. Khairatan Bibi Wife of Rafiqe Ansari
Both 9 and 10 are resident of village- Dhangarha, P.S.- Baniapur,
District- Saran
11. Khairul Bibi Wife of Abdul Sattar
12. Abdul Sattar Son of Late Ali Hasan
13. Abdul Gaffar Son of Late Ali Hasan
All resident of village- Bithuna, P.S.- Basantpur, District- Siwan

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Kaushal Kishore Mishra, Advocate
For the Respondent/s : Mr. Nivedita Nirvikar, GA-10

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

2 04-08-2016 In respect of the land, which has given rise to a

dispute between the petitioner and the private respondent Nos. 7 to

13, a proceeding under Section 145 of the Code of Criminal

Procedure was drawn and the land was placed under attachment

by invoking the provisions of Section 146 of the Code of Criminal

Procedure.

As regards drawing of the proceedings under Section 146 of the Code of Criminal Procedure and the passing of the order of attachment, the petitioner's wife, namely, Anwari Bibi, filed Criminal Revision No.344 of 2012, which has been dismissed, on 18.12.2012, by the learned Sessions Judge, Chapra.

The remedy of the petitioner, therefore, lies in getting the proceeding 145 Cr.P.C. concluded in accordance with law and/or institute, if the petitioner is so advised, appropriate suit in a Civil Court of competent jurisdiction.

The writ petition, under Article 226 of the Constitution, does not make out any such case, which would warrant exercise of extra-ordinary jurisdiction by this Court under Article 226 of the Constitution.

This writ petition, as has been sought for by learned Counsel for the petitioner, is disposed of as withdrawn with liberty granted to the petitioner to approach this Court with appropriate application, in future, if so advised, and/or take recourse to such provisions of law as may be permissible.

(I.A. Ansari,CJ)

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