

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.503 of 2015

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

Matlub Alam, S/o Seraj Ahmad, R/v- Nayatola, P.S.- Kuchai Kot, Distt.- Gopalganj
at present Afsana Studio, Dak Bungala Aahata, Cinema Road, Gopalganj, P.S.-
Gopalganj, District-Gopalganj.

.... Petitioner

Versus

1. The State of Bihar, through the Chief Secretary, Government of Bihar, Patna.
2. The Chief Election Commissioner, Government of Bihar, Patna.
3. Bijay Shankar, the District Yozana Padadhikari, Khagaria, P.S.- Khagaria, Distt.-
Khagaria.

.... Respondents

Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha, Advocate

For the Respondent/s : Mr. Manish Kumar, GP-8

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 29-01-2016

The prayer of the petitioner in the present application
filed under Articles 226 & 227 of the Constitution of India, as
narrated in para 1, is as under :-

“(a) That this criminal writ application is being filed
for issuance of an appropriate writ
commanding/directing the respondent nos. 1 to 2 to
take legal action against the respondent no. 3, who is
not appearing in the Court of the Learned Sri
Chandrabir Singh, Judicial Magistrate, First Class,

Gopalganj in connection with complaint case No. 2023(c) of 2001, Trial No. 2637 of 2015 when process for the offence under Section 82 Cr.P.C. has already been issued against the respondent no.3 by order dated 28.10.2014 passed by the Court of Learned Sri Chandrabir Singh, Judicial Magistrate, First Class, Gopalganj in connection with complaint case no. 2023(c) of 2001.

(b) For issuance of any other writ or writs/order/orders as your Lordships may deem fit and proper.”

In view of the availability of equally efficacious statutory remedy to the petitioner, I am not inclined to entertain the present application.

Accordingly, the application is dismissed.

(Ashwani Kumar Singh, J.)

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