

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.1015 of 2016

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

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Shanti Devi W/o Sri Krishna Deo Rai R/o Mohalla-New Professor Colony, Ward
No. 16, P.S.-Begusarai (Town) District-Begusarai

.... Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Deputy Inspector General of Police, Patna
3. The Superintending of Police, Begusarai
4. The Officer in Charge, Begusarai Town Police Station District-Begusarai
5. Heera Devi W/o Sri Manoj Chaudhary resident of Mohalla- New Professor
Colony, Ward No. 16, P.S. Begusarai (Town), District-Begusarai

.... Respondents

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Appearance:

For the Petitioner/s : Mr.

For the Respondent/s : Mr.

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

ORAL JUDGMENT

Date: 10-11-2016

The grievance of the petitioner is that her house has been made subject to proceedings under Section 82 and 83 of the Code of Criminal Procedure on account of non-appearance of her son in the Criminal proceedings.

It is pointed out that the petitioner has, in fact, filed an objection before the learned Chief Judicial Magistrate, Begusarai on 28.07.2016, but without considering the said objection, proceedings under Section 83 of the Code of Criminal Procedure have been initiated.

The petitioner has remedy to prefer Revision before the

learned Sessions Judge and may be liberty to move an application before the learned Trial Court pointing out her grievances.

I do not find that any case is made out for invocation of writ jurisdiction of this Court without findings as the question of fact by a competent court.

Consequently, the writ application is disposed of with liberty to the petitioner to invoke alternative remedy as the petitioner chooses in accordance with law.

(Hemant Gupta, ACJ)

Mishra/-

AFR/NAFR	N.A.F.R
CAV DATE	N.A.
Uploading Date	15.11.2016
Transmission Date	15.11.2016