

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43140 of 2012

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Ganga Prasad son of Late Ram Kishun Prasad, resident of Mohalla-Gaya
Purani Godown Gali, P.S.-Kotwali, District- Gaya

.... Petitioner/s

Versus

1. State of Bihar

2. Smt. Urmila Devi wife of Ganga Prasad, resident of Mohlla Gaya Purani
Godown Gali, P.S.- Kotwali, District- Gaya

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sudarshan Sharma, Advocate

For the Opposite Party/s : Mr. Ashraf Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR
SINGH

ORAL ORDER

2 01-08-2016 By way of the present application preferred under

Section 482 of the Code of Criminal Procedure (for short 'CrPC'),

the petitioner has challenged the order dated 28.3.2012 passed by
the Sub Divisional Officer, Sadar, Gaya in Miscellaneous Case
No.236 of 2012 in a proceeding under Section 144 of the CrPC.

Sub Section (4) of Section 144 of the CrPC stipulates
that no order under this Section shall remain in force for more than
two months from the making thereof. The proviso to Sub Section
(4) of Section 144 of the CrPC states that if the State Government
considers it necessary so to do for preventing danger to human
life, health or safety or for preventing a riot or any affray, it may,
by notification, direct that an order made by a Magistrate under
this Section shall remain in force for such further period not

exceeding six months from the date on which the order made by the Magistrate would have, but for such order, expired, as it may specify in the said notification.

In view of the statutory provision prescribed under Sub Clause (4) of Section 144 of the CrPC the instant application has become infructuous as the impugned order was passed in a proceeding under Section 144 of the CrPC on 28th March, 2012.

Accordingly, the application is dismissed as infructuous.

(Ashwani Kumar Singh, J)

Md.S./-

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