

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.927 of 2015

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

1. Mir Hasan Waqf Estate through its Motawalli namely Syed Zafar Abbas son of late Shabbir Hasan resident of Mohalla- Mehdi Hasan Chowk, Brahampura, P.S- Brahampura District Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar
2. The Director General of Police, Government of Bihar, Patna
3. The D.I.G. Muzaffarpur Range at Muzaffarpur
4. The Superintendent of Police Muzaffarpur District Muzaffarpur.
5. The Sub Divisional Officer [East] Muzaffarpur, District- Muzaffarpur
6. The Sub Divisional Magistrate [East] Muzaffarpur, District- Muzaffarpur
7. The Deputy Superintendent of Police Sadar, District Muzaffarpur
8. The Station House Officer (S.H.O.) Brahampura Police Station District- Muzaffarpur
9. Shamim Fatma wife of Azam Hussain
10. Shabana Khatoon wife of Akbar Ali Khan.
11. Akhtar Ali Khan son of Late Fateh Ali Khan All resident of Mohalla- Mehdi Hasan Chowk, Brahampura, P.S.- Brahampura, District- Muzaffarpur

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Md. Anis Akhtar, Adv.
For the Respondent/s : Mr. Ashok Kumar, SC-11.

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 23-02-2016

By way of the present application preferred under Articles 226 and 227 of the Constitution of India, the petitioner seeks a direction to be issued to the respondent authorities to execute the order dated 14.05.2015 passed by the Sub Divisional Magistrate, East Muzaffarpur in a proceeding under Section 144 of the Code of Criminal Procedure (for short 'CrPC').

In my view, the application is thoroughly misconceived.

Sub-section (4) of Section 144 of the CrPC mandates that no order passed under Section 144 CrPC shall remain in force for more than two months from the making thereof. As more than two months have already elapsed since the date of passing of the order on 14.05.2015, no direction can be issued by this Court for executing the same. Accordingly, the application, being devoid of any merit, is dismissed.

(Ashwani Kumar Singh, J)

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