

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No 1332 of 2015

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

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Jitu Yadav @ Jitendra S/o Sri Ram Surat Yadav Resident of Village- Balua tola, P.s
Piro, District Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar Through The Chief Secretary, Government of Bihar, Patna.
2. Secretary, Department of Home(Police), Government of Bihar, Patna.
3. Under Secretary, Department of Home(Police), Government of Bihar, Patna.
4. District Magistrate, Bhojpur at Ara.
5. Superintendent, District Jail, Bhojpur , Ara.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr Ravindra Kumar, Advocate

For the S t a t e : Mr Prabhu Nr Sharma, AC to AG

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CORAM: HON'BLE MR JUSTICE NAVANITI PRASAD SINGH

And

HON'BLE JUSTICE SMT NILU AGRAWAL

ORAL JUDGMENT

(Per: HONOURABLE MR JUSTICE NAVANITI PRASAD SINGH)

Date: 05-01-2016

The petitioner was detained for a period of one year with effect from 03.02.2015 under the provisions of Section 12 (2) of Bihar Control of Crimes Act, 1981

2 Learned counsel for the petitioner submits that though he is now facing trial in about 11 cases, except one, in none, he had been named as an accused in the first information report. His name was subsequently dragged into in all those cases. He, thus, submits that his detention is illegal.

3 Having considered the matter, in our view, no case for interference is made out. Whether he has been rightly or wrongly made an accused is a matter that would be decided in a trial. So far as his personal liberty is concerned, in respect of those cases, it is to be decided by those Courts before whom those cases are pending. Petitioner submits that he has been granted bail in all those cases but the fact remains that he is facing prosecution in 11 cases.

4 In view of that, we are not inclined to interfere in the matter as it cannot be said that his detention is in violation of Article 21 of the Constitution. This application is, accordingly, dismissed.

(Navaniti Prasad Singh, J)

M.E.H./-

(Nilu Agrawal, J)

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