

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1002 of 2017

=====

1. Sadhu Sharan Singh son of Late Bisheshwar Singh
2. Manager Singh, son of Late Sukhdeo Singh
3. Awadhesh Singh, son of Late Sukhdeo Singh
4. Nageshwar Singh, son of Late Sitabi Singh
5. Ramautar Singh, son of Late Bajo Singh
All are resident of Village- Sethna, P.S.- Halsi, District- Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar through The Principal Secretary, Department of Home, Government of Bihar, Patna
2. The District Magistrate, Lakhisarai.
3. The Superintendent of Police, Lakhisarai.
4. The Sub- Divisional Magistrate, Lakhisarai.
5. The Circle Officer, Halsi, District- Lakhisarai.
6. The Circle Officer, Halsi Police Station, District- Lakhisarai.
7. Ajay Kumar Singh, son of Late Shamli Singh
8. Ranjay Kumar Singh, son of Sri Krishnanandan Singh
Both Respondent No. 7 & 8 are resident of Village- Sethna, P.S.- Halsi, District- Lakhisarai.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. P.K. Shahi, Sr. Advocate
Mr. Arun Kumar, Advocate
For the Respondent/s : Mr. Manish Kumar(GP-4)

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 11-07-2017 Heard learned counsel for the petitioners and learned Government Pleader for the State-respondents.

The petitioners have invoked the writ jurisdiction of this Court under Articles 226 and 227 of the Constitution of India to quash the order dated 06.02.2017 passed in Case No.676M of 2009 by learned Sub-Divisional Magistrate, Lakhisarai, whereby the Court-below has attached the subject matter of the proceeding under Section 145 of the Cr.P.C. in exercise of power under



Section 146 Cr.P.C.

Except petitioner Sadhu Sharan Singh other petitioners are not party before the Sub-Divisional Magistrate, Lakhisarai, in the proceeding under Section 145 Cr.P.C.

In the circumstances, the petitioners may appear before the Sub-Divisional Magistrate, Lakhisarai, within fifteen days of this order and place their written objection against attachment of the property, which shall be disposed of according to law and assigning reason for the same. Till disposal of the objection of these petitioners, if filed within time, the operation of the order dated 06.02.2017 shall remain stayed.

With the aforesaid observation, this application stands disposed.

(Birendra Kumar, J)

Mkr./-

U		T	
---	--	---	--

