

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.62 of 2017

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1. Md. Wakil, Son of Late Jumarati Miyan, residence of Village-
Bhadreshwar Ward No. 1, Muslim Tola, Bhtiyahi, P.S.- Jogbani, Dist.-
Araria Petitioner

Versus

1. The State of Bihar.
2. The Director General of Police, Bihar, Patna.
3. The I.G. Darbhanga.
4. The D.I.G. Purnea.
5. The Superintendent of Police, Araria.
6. Dy. S.P. Forbesganj Under Distt.- Araria.
7. S.I. Jogbani, (Bathnaha) Under Distt.- Araria.
8. Lataku Miyan.
9. Chhotaku @ Chhotaku Miyan.
10. Md. Jhamali Miyan.
11. Md. Sowarati.
12. Md. Kalimuddin.
13. Md. Nazamuddin.
14. Md. Hasmuddin All son of Md. Saphul Miyan,
15. Md. Mustak Miyan, Son of Noor Mohamad.
16. Md. Juber Miyan, Son of Hasumuddin.
17. Md. Jabir, Son of Kalimuddin.
18. Md. Alam @ Md. Salam Son of Raphul Miyan.
19. Mustkim @ Muskin, Son of Nizamuddin.
20. Md. Bakar Miyan, Son of Nizamuddin.
21. Md. Sahim.
22. Karo Miyan.
23. Feku Miyan.
24. Md. Sadam, All son of Md. Akbar.
25. Anwar Miyan Son of Jhatkan Miyan.
26. Md. Punnu.
27. Md. Akbar, Both son of Jhatkan Miyan.
28. Md. Saphul Son of Late Monai Miyan.
29. Md. Jabir, Son of Md. Kalamuddin @ Md. Kalimuddin. All residence of
Village- Phena, Tola- Bellahi, Ward No. 10, 11, P.S.- Jogbani (Bathnaha),
Distt.- Araria Respondents

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Appearance :

For the Petitioner :
For the Respondents : Mr. Md. Nadeem Seraj, GP V

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 08-08-2017

No one appears on behalf of the petitioner.

This writ application has been filed for issuance of
appropriate direction to the respondents to arrest respondents 8 to



29, who are accused in connection with Jogbani (Bathanaha) P.S. Case No. 42 of 2016, a case under Sections 147, 149, 341, 323, 324, 325, 307, 379, 504, 506 and 436 of the Indian Penal Code.

In the case of M.C. Abraham & Anr. Vrs. State of Maharashtra & Ors., reported in (2003) 2 SCC, 649 the Hon'ble Apex Court held that under Article 226 of the Constitution of India, the High Court had no jurisdiction to direct for arresting the person at the stage of investigation. Therefore, this writ application has got no merit.

Accordingly, it stands **disposed off**.

(Birendra Kumar, J)

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