

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3734 of 2016

In
Cr. WJC 609 of 2016

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1. Sanjay Kumar Paswan, Son of Sri Harendra Paswan, resident of Village- Vijaypura, Post- Gobindpur Bela, Police Station- Baligaon, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar through the Director General of Police, Bihar, Patna.
2. The Superintendent of Police, Buxar.
3. The Deputy Superintendent of Police, Buxar.
4. The Station House Officer, Town P.S., Buxar.
5. The Excise Inspector, Buxar.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Chakrapani, Advocate
Mr. Sanjay Kumar Singh, Advocate
Mr. Ashutosh Kumar, Advocate

For the Respondent/s : Mr. Prabhat Kumar Verma, AAG-3

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

8 19-07-2017 This Miscellaneous Jurisdiction Case has been preferred, under Article 226 of the Constitution of India, with prayer to recall the order dated 17.10.2016, passed in Cr.W.J.C. No.609 of 2016, whereby this Court while disposing of I.A. No.2033 of 2016 also disposed of the writ application observing that charge sheet was already submitted in Buxar Town P.S. Case No.193 of 2016. Hence, no further direction is called for.

Contention of the petitioner is that the petitioner has stated on oath and the State-respondent in their counter affidavit have clearly admitted that charge sheet has not been filed in the



referred case.

In the circumstance, the main relief prayed for in the writ petition still subsists and the finding of this Court in the order dated 17.10.2016 that charge sheet has already been submitted in Buxar Town P.S. Case No.193 of 2016 is error of record.

After going through the record, I find substance in the submission of the learned counsel for the petitioner. Hence, order dated 17.10.2016 only to the extent whereby writ application was disposed of stands recalled and Cr.W.J.C. No.609 of 2016 is restored to its original file.

This Miscellaneous Jurisdiction Case stands allowed.

(Birendra Kumar, J)

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