

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1055 of 2016

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Akhil Agarwal, Son of Late Satya Prakash Agarwal, Resident of 3 Grand Square, Danapur Cantt, Imarson Road, P.S.- Danapur, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar through Director General of Police, Government of Bihar, Patna.
2. The Additional Director General of Police, Head Quarter, Government of Bihar, Patna.
3. The Inspector General of Police, Central Range, Patna.
4. The Deputy Inspector General of Police, Central Range, Patna.
5. The Senior Superintendent of Police, Patna.
6. The Deputy Superintendent of Police-cum-Sub-Divisional Police officer, Danapur, District- Patna.
7. The Station House officer, Danapur Police Station, Danapur, District- Patna.
8. Manoj Yadav, Son of Shri Krishan Yadav, residing at 22 Bhairab Dutta Lane, P.S.- Golabari, District- Howrah, West Bengal, Director, M/S Bigneshwar Commodities Pvt. Ltd. Regd. office 5 Munshi Zeller Rahim Lane, P.S.- Golabari, District- Howrah, West Bengal.
9. Ashwani Kumar Sinha, Son of Shri Shiv Lakhpati Lal, Resident of 16 Raj Sundar Complex, Vijay Nagar, Rukanpura, Beiley Road, P.S.- Rupaspuar, District- Patna, Director, M/S Bigneshwar Commodities Pvt. Ltd. Regd. office-5, Munshi Zeller Rahim Lane, P.S.- Golabari, District- Howrah, West Bengal.
10. Pappu Kumar Yadav Son of not known to the petitioner, Staff, M/S Bigneshwar Commodities Pvt. Ltd. Regd. office-5, Munshi Zeller Rahim Lane, P.S.- Golabari, District- Howrah, West Bengal.
11. Niranjana Kumar Sinha, Son of not known, Staff, M/S Bigneshwar Commodities Pvt. Ltd. Regd. office-5, Munshi Zeller Rahim Lane, P.S.- Golabari, District- Howrah, West Bengal.
12. Upendra Kumar, son of not known, Staff M/S Bigneshwar Commodities Pvt. Ltd. 5, Munshi Zeller Rahim Lane, P.S.- Golabari, District- Howrah, West Bengal.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar
For the Respondent/s : Mr. Prabhat Kumar Verma (AAG-3)

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 31-01-2018

Learned counsel for the petitioner submits that in



this case prior to moving this Court under Article 226 of the Constitution of India, no application under Section 156(3) Cr.P.C. has been filed before the regular court.

In this view of the matter, this Court, being a Constitutional Court, is not inclined to exercise its extraordinary writ jurisdiction keeping in mind the judgment of the Hon'ble Supreme Court in the case of **Sakiri Vasu Vs. State of U.P. & Ors. reported in (2008) 2 SCC 409** which has been recently followed in the case of **Sudhir Bhaskarrao Tambe Vs. Hemant Yashwant Dhage & Ors. reported in (2016) 6 SCC 277**. The petitioner has a remedy to file an appropriate application before the regular court in accordance with the provisions of the Cr.P.C. which shall be considered in accordance with law.

The application stands disposed off.

(Rajeev Ranjan Prasad, J)

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