

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.1034 of 2016

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Arun Kumar Thakur, Son of Late Ramdeni Thakur, resident of Mohalla-
Ramna, Rajju Sah Lane, P.S. Mithanpura, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Arbind Kumar Thakur Son of Late Mathura Prasad Thakur. resident of Mohalla- Ramna Rajju Sah Lane, P.S. Mithanpura, District- Muzaffarpur.
3. Bal Krishna Sah @ Balo Sah Son of Late Hiralal Sah of Village- Srichandpur Kothia P.S. Bangra. District Samastipur.
4. Laxmi Kant Thakur Son of Late Fakira Thakur of Village Bahuara, P.S. Patepur, District- Vaishali.
5. Raj Narayan Sah Son of Ghetu Sah, of Village- Bhagwanpur Khajuri, P.S. Baligaon, District- Vaishali.
6. Kiran Devi, Wife of Kumar Bikram of Village- Srichandpur Kothia P.S. Bangra. District Samastipur.
7. Kundan Kumar Son of Bal Krishna Sah @ Balo Sah of Village- Srichandpur Kothia P.S. Bangra. District Samastipur.
8. Sona Devi Wife of Laxmikant Thakur of Village Bahuara, P.S. Patepur, District- Vaishali.
9. Usha Gupta wife of Amit Kumar of Village- Bhagwanpur Khajuri, P.S. Baligaon, District- Vaishali.
10. Himansu Shekhar Son of Pradhuman Prasad Yadav of Village Imadpur, P.S. Baligaon, District Vaishali.
11. Abhishek Kumar Son of Ramchandra Rai of Village Khoajpur Basti, P.S. Baligaon District- Vasihali.
12. Uday Kumar Son of Munshi Lal Rai of Village Maheya. Malpur P.S. Patepur, District Vaishali.
13. Sukhnandan Rai Son of Dukha Rai of Village Bahuara, P.S. Patepur, District- Vaishali.
14. Asarfi Sah, Son of Late Laxmi Sah of Village Dumri Kothia, P.S. N.H. Bangra, District Samastipur.
15. Rambriksh Rai Son of Bhonu Rai of Village Bahuara, P.S. Patepur, District- Vaishali.
16. Bhola Rai Son of Rajdeo Rai of Village- Pastara P.S. Baligao, District- Vaishali.
17. Vijay Kumar Thakur, Son of Saryug Thakur of Mohalla- Ramna, Thakur Sadan, Rajju Sah lane, P.S. Mithanpura, District Muzaffarpur.
18. Shiv Chandra Rai @ Shibu Rai, Son of Late Siklal Rai of Village Imadpur, P.S. Baligaon, District Vaishali.
19. Ram Sudhist Rai @ Bhagat son of Dukha Rai of Village- Bahuara, P.S.- Patepur, District- Vaishali.
20. Sarjan Devi Wife of Lal Deo Paswan, of Village- Bahuara Chowk, P.S. Patepur, District- Vaishali. and unknown 15 persons.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar



For the Respondent/s : Mr. Sri Ramchandra Singh

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN

PRASAD

ORAL ORDER

2 14-08-2018 Learned counsel for the petitioner submits that after filing of the Complaint Case No.1066/16 by the present petitioner in the court of learned C.J.M., Hajipur, the learned C.J.M., Hajipur has been pleased to call for a report from the concerned police station to find out whether any police case is pending in connection with the same allegations or not. It is submitted that such report was called for by the learned C.J.M. in terms of the provisions made under Section 210 of the Code of Criminal Procedure. Learned counsel, however, submits that no order under Section 210 Cr.P.C. has been passed and the matter has been left pending awaiting the report to be received from the concerned police station.

Learned counsel for the State is present.

In the nature of the grievance of the petitioner and the order proposed to be passed by this Court, at this stage, no notice is required to be issued to the opposite party nos.2 to 20 for the reason that presently the learned C.J.M. has not passed any order in the complaint petition affecting the opposite parties.

This writ application is being disposed off with a



direction to the learned C.J.M., Hajipur to consider the application preferred by the petitioner as contained in Annexure-2 to the writ application and thereupon pass an appropriate order on the complaint petition filed by the petitioner following the procedures established by law under the Code of Criminal Procedure.

It is made clear that, at this stage, this Court is not going into the merit of the allegations mentioned in the complaint petition and it will be an independent consideration by the learned C.J.M.

The application stands disposed off accordingly.

(Rajeev Ranjan Prasad, J)

Arvind/-

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