

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.949 of 2018

Arising Out of PS. Case No.- Year- Thana- District- Muzaffarpur

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Sudhir Mandal S/o Late Umesh Mandal, R/o Village- Berai, P.S.- Hathouri,
District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar, Through Home Secretary, Department of Home (Police), Government of Bihar Patna.
2. The Under Secretary Home , Department of Home (Police), Government of Bihar, Patna.
3. The District Magistrate Cum Collector, Muzaffarpur.
4. The Senior Superintendent of Police, Muzaffarpur.
5. The Superintendent of Jail, Muzaffarpur Jail District- Muzaffarpur.
6. The Officer In Charge, Hathouri- P.S.- District- Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ganesh Prasad Singh, Adv and Mr. Prabhat
Kumar Singh, Adv

For the Respondent/s : Mr. Prabhu Narayan Sharma AC to AG.

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE DR. JUSTICE RAVI RANJAN)

Date : 30-04-2018

Heard learned counsel for the parties.

Through this writ petition, the petitioner seeks his release from illegal custody after quashing of the impugned order of detention passed under Section 12(2) and 12(3) of the Bihar Control of Crime Act, 1981 as contained in Annexure-1 and Annexure-1/A.

However, a counter affidavit has been filed on behalf of respondent nos. 1 and 2, in which it has been stated that



Advisory Board under Section 18 of the Bihar Control of Crime Act, 1981, has already opined that no sufficient ground existed for detention of the petitioner.

In view of the above, Annexure-D to the counter affidavit filed on behalf of respondent nos. 1 and 2 was issued by the State revoking the order no. 655(Hindi) & 656 (English)/Legal both dated 20.02.2018, passed by the District Magistrate, Muzaffarpur, under Section 12(2) of the said Act with respect to Sudhir Mandal is affirmed.

Learned counsel for the petitioner also admits the aforesaid facts which have been stated in the counter affidavit.

In the result, this writ petition is dismissed as having become infructuous.

(Dr. Ravi Ranjan, J)

(S. Kumar, J)

ranjan/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	03.05.2018
Transmission Date	03.05.2018

