

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.497 of 2018

In

Civil Writ Jurisdiction Case No. 14916 of 2017

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Tushar Ranjan Roy @ Tusar Ranjan Roy Son of late Bivash Chandra Roy
@ Vivash Chandra Roy Resident of Flat Nos. 101, 102 Sandhya Apartment,
Ramna Road, P.S.- Pirbahore, District- Patna - 04

.... Appellant

Versus

1. The State of Bihar through the Chief Secretary, Bihar, Patna.
2. The Commissioner, Patna Division, Patna.
3. The Director General of Police, Bihar, Patna.
4. The District Magistrate, Patna.

.... Respondents

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Appearance :

For the Appellant/s : Mr. Surendra Kumar Mishra

For the Respondent/s : Mr. P.K.Verma –AAG-3

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CORAM: HONOURABLE THE CHIEF JUSTICE

And

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2. 16-07-2018

Seeking exception to an order passed by the writ court on 19.03.2018 relegating the petitioner to take recourse in view of appeal available under Section 18 of the Arms Act 1959, this appeal has been filed under Clause 10 of the Letters Patent. The learned court finding that there is a statutory alternative remedy available to him relegated the petitioner to take recourse to the same and also directed for condonation of delay in filing the appeal.

Accordingly, in our considered view, in the facts and circumstances where statutory remedy is available, the learned writ court has not committed any error in refusing to



exercise his extraordinary jurisdiction under Article 226 of the Constitution.

Accordingly, this appeal is dismissed.

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

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