

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Miscellaneous Jurisdiction Case No.2344 of 2017**

**In**  
**Civil Writ Jurisdiction Case No.4011 of 2016**

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Rakesh Kumar S/o Late Mahesh Singh resident of Village - Sarasat, Police Station - Naubatpur, District - Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Mr. Sanjay Agrawal, The District Magistrate, Patna.
3. Mr. Manu Maharaj, The Senior Superintendent of Police, Patna.
4. Mr. Murli Prasad Singh, The District Arms Magistrate, Patna.
5. Mr. Prem Raj Chauhan, The Station House Officer, Naubatpur Police Station, Patna.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Sunil Kumar  
For the Opposite Party/s : Mr.P. K. Verma, AAG 3  
Mr. Suman Kumar Jha, AC to AAG 3

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY**  
**ORAL ORDER**

3      18-02-2019                      Heard learned counsel for the parties.

Having regard to the scope of contempt jurisdiction, particularly in view of the law laid down by the Apex Court in the case of *Union of India & Ors. vs. Subedar Devassy PV [(2006) 1 SCC 613]* and reiterated in the case of *Sudhir Vasudeva, Chairman and MD, Natural Gas Corporation Limited & Ors. vs.M George Ravishekharan & Ors. [(2014) 3 SCC 373]*, the Court is not inclined to enter into the question as to the legality and validity of the decision taken by the District Magistrate, Patna pursuant to the order dated 29.02.2016 passed by the learned Writ Court.



However, liberty shall be available to the petitioner to challenge the legality and validity of the decision in an appropriate proceeding in accordance with law.

With the aforesaid, the present proceeding is dropped and the application stands disposed of.

**(Anil Kumar Upadhyay, J)**

mrl./-

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