

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.822 of 2019

Vikash Singh Patel @ Lallu Patel, aged about 30 years Male, Son of Vijay Chowdhary @ Vijay Singh, Resident of Village-Patel Chowk, Bhabua Ward No. 03, P.S-Bhabua, District-Kaimur.

... .. Petitioner

Versus

1. The State of Bihar through District Magistrate, Kaimur
2. Superintendent of Police, Kaimur
3. Sub Divisional Police Officer, Bhabua Sadar, Kaimur
4. Station House Officer, Bhabua Police Station, District-Kaimur
5. Sri Ajay Prasad, son of not known to the petitioner, Sub Divisional Police Officer, Bhabua Sadar, Kaimur.
6. Sri Satyendra Ram, son of not known to the petitioner, Station House Officer, Bhabua Police Station, District-Kaimur.

... .. Respondents

Appearance :

For the Petitioner/s : Mr.Prabhakar Singh, Adv.
For the Respondent/s : Mr. AC to SC- 08

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
and
HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE RAKESH KUMAR)

2 09-05-2019 Heard Sri Prabhakar Singh, learned counsel for the petitioner and learned AC to Standing Counsel No. 08.

The petitioner has invoked extraordinary writ jurisdiction of this Court against an order dated 26-03-2019 issued by the District Magistrate, Kaimur at Bhabua (Annexure-5), whereby he has been asked to file show cause as to why order under the provision of Bihar Crime Control Act, 1981 may not be passed against him.



Instead of approaching the authority by way of filing show cause, the petitioner has directly approached this Court by filing the present writ petition.

Learned counsel for the petitioner tried to persuade the Court that on earlier occasion also, almost in similar circumstance, a case was initiated under the Act, which finally did not get approval by the Advisory Board and now again, show cause notice has been issued.

The Court is of the opinion that against order of such show cause, it would not be appropriate to entertain the writ petition. Moreover, in such cases, if any final order is passed, there is provision of appeal also. In that view of matter, we do not find any ground to entertain the writ petition.

The writ petition stands dismissed.

(Rakesh Kumar, J.)

(Anil Kumar Sinha, J.)

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