

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47188 of 2019

Arising Out of PS. Case No.-569 Year-2018 Thana- GARDANIBAG District- Patna

RAJESH RANJAN @ PAPPU YADAV

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Rajesh Ranjan

For the Opposite Party/s : Dr. (Mrs.) Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

7 21-11-2019 The order passed by this Court dated 01.08.2019 speaks for itself. The Court has taken note of the provisions under the Bihar Collective Fines (Imposition) Act, 1982, and failure of the District Administration to invoke the provisions of the Act in case of any widespread or large-scale disturbances of public order involving rioting, murder and arson or on account of their commission, attempt to commission or abetment of all or any of their commission, attempt to commission or abetment of all or any of the offences specified in Chapter VIII of the Indian Penal Code, Sections 187 to 190, 212, 302, 304, 324 to 326, 332, 379, 380, 390 to 402 and 436 and Chapter XXII of the Indian Penal Code and other provisions as mentioned in Section 2 of the Act.

Noticing numerous instances of causing disturbances gravely jeopardizing and at times putting at risk rights of



hapless ailing citizens, in the wake of such incidents, the Court had desired from the respective District Magistrates of the district to inform whether provisions of the Act have been invoked in appropriate cases or not.

Affidavits have been filed by the District Magistrates of 36 districts. No affidavit has, however, been filed by the District Magistrate, Munger and District Magistrate, Nawada.

Learned Additional Public Prosecutor has submitted that affidavits in respect of Patna, Madhubani, Sheikhpura, Katihar and East Champaran are ready and will be filed today.

The purpose of the order was to sensitize the officers at the District Administration level to apply the provisions of the Act in appropriate circumstances so that the said provisions under the Act do not become dead letters.

It appears from the affidavits filed on behalf of the District Magistrates that the provisions under the Act are being invoked. The Court expects that the authorities shall give due regard to the statutory provisions under the Act, which have been enacted to respect the rights of the citizens of the State. I express my regret over noncompliance on behalf of the District Magistrate, Nawada, and the District Magistrate, Munger, for not filing their respective affidavits. I would have considered



initiation of action against them, but I have restrained myself for the present with a note of caution to them to be careful in future in Court matters.

Let a copy of this order be communicated to the District Magistrate, Munger and the District Magistrate, Nawada forthwith.

No further order need be passed in the present case.

(Chakradhari Sharan Singh, J)

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