

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1322 of 2019

Arising Out of PS. Case No.-144 Year-2019 Thana- SOHSARAI District- Nalanda

SANJAY KUMAR Son of Suresh Prasad Resident of Village - Chorsua, P.S. -
Giriyak, District - Nalanda

... .. Petitioner

Versus

1. The State of Bihar, through Principal Secretary, Mines Department, Govt. Of Bihar, Old Secretariat Patna, Bihar
2. The District Magistrate, Naladna at Biharsharif (Bihar)
3. The Superintendent of Police, Nalanda at Biharsharif (Bihar)
4. The District Mining Development Officer, Nalanda at Biharsharif (Bihar)
5. The S.H.O. Sohsarai Police Station, P.S.- Sohsarai, District - Nalanda at Biharsharif (Bihar). Bihar

... .. Respondents

Appearance :

For the Petitioner : Mr.Raj Kishor Prasad, Advocate
For the Respondent-State: Mr.Md. Raisul Haque, SC-10

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL JUDGMENT

Date : 17-09-2019

This application under Articles 226 and 227 of the Constitution of India has been filed by the petitioner challenging the order dated 12.07.2019 passed in Sohsarai P. S. Case No. 144 of 2019 by the learned Chief Judicial Magistrate, Biharsharif, Nalanda whereby he has rejected the application filed under Section 451 of the Code of Criminal Procedure (for short 'CrPC') for release of the Truck bearing Registration No. BR-21GB-0537.

2. In view of availability of remedy under Sections 397 and 401 as well as 482 of the CrPC against the order impugned, I am not inclined to entertain this application in extra



ordinary jurisdiction under Articles 226 and 227 of the Constitution of India.

3. The application is disposed of with liberty to the petitioner to file an appropriate application under the CrPC for the relief sought for in the present application.

(Ashwani Kumar Singh, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	18.09.2019
Transmission Date	18.09.2019

