

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1373 of 2019

Arising Out of PS. Case No.-141 Year-2019 Thana- SOHSARAI District- Nalanda

Chandeswar Prasad, Son of Amrit Rai, Resident of Village-Satbhaiya
Bakhtiyarpur, P.S.- Bakhtiyarpur, Dist.- Patna.

... .. Petitioner

Versus

1. State of Bihar.
2. The District Magistrate, Nalanda.
3. The Superintendent of Police, Nalanda.
4. The officer in charge P.S.- Sohsarai, Dist.- Nalanda.
5. The Secretary, Mines and Mineral Department, Government of Bihar, Patna.
6. The Assistant Director, Mines and Mineral Department, District Mines Officer, Nalanda.

... .. Respondents

Appearance :

For the Petitioner : Mr. Pankaj Kumar, Advocate
For the Respondents-State: Mr. Sunil Kumar Mandal, SC-3

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL JUDGMENT

Date : 25-09-2019

This application under Articles 226 and 227 of the Constitution of India has been filed by the petitioner for setting aside the order dated 03.08.2019 passed by the learned Chief Judicial Magistrate, Nalanda in Sohsarai P.S. Case No.141 of 2019 by which the learned Magistrate has rejected the application dated 02.07.2019 filed by the petitioner under Section 451 of the Code of Criminal Procedure for release of the tractor bearing Registration No. BR-01GH-2131.



2. In view of an equally efficacious statutory remedy available to the petitioner under Sections 397 and 401 of the CrPC as also Section 482 of the CrPC, I am not inclined to entertain this application in extraordinary jurisdiction under Article 226 of the Constitution of India.

3. In that view of the matter, the application is disposed of with liberty to the petitioner to challenge the order impugned by way of filing an appropriate application under the statutory provisions of the CrPC.

(Ashwani Kumar Singh, J.)

Sanjeet/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	27.09.2019
Transmission Date	27.09.2019

