

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Miscellaneous Jurisdiction Case No.2944 of 2017**

**In**  
**Civil Writ Jurisdiction Case No.15891 of 2016**

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Abhay Kumar S/o Baleshwar Prasad Singh, R/o Village- Barri, P.O.- Siyadih,  
P.S.- Charpokhari, District- Bhojpur.

... .. Petitioner/s

Versus

1. The State Of Bihar, Through Chief Secretary, Sri Anjani Kumar Singh, Govt. Of Bihar, Home Department
2. Sri Anand Kishore, Commissioner, Patna Commissionery, Patna.
3. Sri Sanjeev Kumar, District Magistrate, Bhojpur.
4. Sri Avkash Kumar, Superintendent of Police, Bhojpur.
5. Sri Kuwar Prasad Gupta, Officer-in-Charge, Charpokhari, District- Bhojpur.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Ashutosh Tripathy  
For the Opposite Party/s : Mr.P. K. Verma, AAG 3

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

4      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, Bhojpur pursuant to the order dated 23.01.2017 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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