

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.2958 of 2018

Arising Out of PS. Case No.-372 Year-2018 Thana- MAJHAULIA District- West Champaran

Shiv Shankar Mahto Son of Late Jagrnath Mahto Resident of Village-Bagahi
Baghamberpur,P.S. Srinagar Pujahan,Distt.-West Champaran

... .. Petitioner

Versus

1. The State Of Bihar
2. The Superintendent of Police, West Champaran,Bettiah
3. The S.H.O.,Majhaulia P.S.,West Champaran

... .. Respondents

Appearance :

For the Petitioner : Mr.Sanjeev Kumar Shrivastava, Advocate
For the Respondent-State: Mr. M. Nasrul Huda Khan, SC-1

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 14-05-2019 This application under Articles 226 and 227 of the Constitution of India has been filed by the petitioner for quashing the order dated 09.10.2018 passed by the learned Chief Judicial Magistrate, Bettiah in Majhaulia P. S. Case No. 372 of 2018 registered under Section 414 of the Indian Penal Code whereby the petition dated 11.09.2018 filed by him for release of Bolero Pickup van bearing Registration No. BR-22Q-7821 registered in his name has been rejected.

In view of an equally efficacious statutory remedy being available to the petitioner against the order impugned under Sections 397 and 401 of the CrPC as well as under Section 482 of the CrPC, I am not inclined to entertain this



application in extra ordinary jurisdiction under Article 226 of the Constitution of India.

The application is dismissed with liberty to the petitioner to avail of the statutory remedy.

(Ashwani Kumar Singh, J)

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