

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.231 of 2020

Arising Out of PS. Case No.-192 Year-2019 Thana- MEHANDIGANJ District- Patna

VINAY KUMAR PRASAD S/o- Sheo Dayal Raut Resident of Village -
Mirzapur, P.O.- Mahanagni, P.S. - Bettiah (Muffasil), District - West
Champaran at Bettiah.

... .. Petitioner

Versus

1. THE STATE OF BIHAR THROUGH THE CHIEF SECRETARY GOVTT.
OF BIHAR, PATNA
2. The Principle Secretary, Transport Department, Govt. Bihar, Patna.
3. The Commissioner, Tirhut Division, Muzaffarpur, Bihar.
4. The Commissioner, Patna Pramandal, Patna.
5. The District Magistrate, West Champaran, at Bettiah.
6. The District Magistrate, Patna.
7. The Senior Superintendent of Police, Patna.
8. The Superintendent of Police, West Champaran, Bettiah.
9. The Superintendent of Police (East), Patna
10. The District Transport Officer, Patna.
11. The District Transport Officer, West Champaran at Bettiah.
12. The Station House Officer, Mehdiganj, Patna
13. The Station House Officer, Bettiah (Muffasil), West Champaran.
14. The Station House Officer, Majhauria, West Champaran at Bettiah.

... .. Respondents

Appearance :

For the Petitioner/s : Mr.Dilip Kumar Roy, Advocate
For the Respondent/s : Mr. AC to AG

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 26-02-2020 The petitioner has a remedy seeking release of the

vehicle under the provisions of the Code of Criminal Procedure

before the learned jurisdictional Magistrate but instead of

availing his statutory remedy, he has directly moved this court in

its writ jurisdiction.

Learned counsel for the State submits that such



application need not be entertained as the same is likely to create a bad precedence.

This Court agrees with the submission of learned counsel for the State.

The petitioner has moved this Court directly under Article 226 of the Constitution ignoring the statutory forum available to him under the Code of Criminal Procedure.

This application is thus, not maintainable. It is dismissed accordingly.

It is left open for the petitioner to seek his remedy in accordance with law before the appropriate court.

(Rajeev Ranjan Prasad, J)

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