

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.365 of 2020

Arising Out of PS. Case No.- Year-0 Thana- District- Purnia

BITTU SINGH @ MAYANK SINGH @ ANIKET SINGH S/o Late Pankaj Singh @ Late Pankaj Kumar Singh Resident of Village-Sarsi Chharapati, Police Station-Sarsi, District-Purnea.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR THROUGH THE PRINCIPAL SECRETARY DEPTT. OF HOME, GOVT. OF BIHAR, PATNA Patna.
2. The District Magistrate, Purnea.
3. The Superintendent of Police, Purnea.
4. The Incharge Officer, District Legal Section, Purnea Collectorate, Purnea.
5. The Officer Incharge, Sarsi Police Station, P.S.-Sarsi, District-Purnea. Purnea.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Sandeep Kumar, Advocate
For the Respondent/s : Mr.Pawan Kumar, AC to AG

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

4 07-10-2020 Petitioner has prayed for the following relief(s):-

“That this criminal writ application is being filed on behalf of the petitioner for quashing the impugned order dated 30.6.2020/1.7.2020 (vide Annexure-04) passed by the District Magistrate-cum-Collector, Purnea, passed in C.C.A. Case No. 01/2020 (under Section 03 of Crime Control 1981), wherein and whereby the District Magistrate-cum-Collector, Purnea has ordered the petitioner for Tadipur for six months from the date of order from Purnea District Area under Section 3(3) of the Bihar



Crime Control Act, 1981 and further all the sub-Divisional Police Officer of Purnea District to take legal action through their Officer-in-Charge if the above mention criminal is found under jurisdiction of Purnea District under this period.”

After the matter was heard for some time, Shri Sandeep Kumar, learned counsel appearing for the petitioner, seeks permission to withdraw the present petition reserving liberty to prefer a statutory appeal as provided under the provisions of Bihar Control of Crimes Act, 1981, with a further prayer that appellate authority be directed to decide the same expeditiously.

The respondent-State possibly cannot have any objection to the same.

Shri Pawan Kumar, learned counsel for the State, states that if an appeal is filed within a period of two weeks from today, the question of limitation shall not come in the way of the petitioner nor shall it be allowed to raise by the petitioner.

As such, the present petition is disposed of in the following terms:-

- (a) petition is permitted to be withdrawn;
- (b) as and when petitioner prefers an appeal under the provisions of Bihar Control of Crimes Act, 1981, the same shall be considered and decided



expeditiously, preferably within a period of four weeks thereafter;

(c) we have not adjudicated the petition on merits;

(d) liberty is reserved to the petitioner to take recourse to such remedies as are otherwise available in accordance with law, if so required and desired.

(Sanjay Karol, CJ)

(S. Kumar, J)

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