

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79322 of 2019

In
Criminal Writ Jurisdiction Case No.2443 of 2017

Arising Out of PS. Case No.-273 Year-2016 Thana- BARACHATTI District- Gaya

NITESH KUMAR Son of Chandeshwar Prasad Resident of Village -
Chulhaichak @ Chanhaichak, P.S.- Rupaspur, P.O.- Khagaul, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, Gaya
3. The City Superintendent of Police, Gaya
4. The Sub-Divisional Magistrate, Sherghati at Gaya
5. The Deputy Superintendent of Police, Sherghati at Gaya
6. The Deputy Excise Commissioner, Gaya
7. The Excise Inspector of Police Sherghati at Gaya
8. The Officer in charge, Barachhatti at Gaya

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Saxena, Advocate
For the Opposite Party/s : Mr. Raj Kishore Singh, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 24-08-2020 This matter has been taken up through Video Conferencing.

Heard the parties.

This application is for modification of order dated
06.12.2017 passed in Cr.W.J.C. No.2443 of 2017.

The said order was conditional subject to the result of
the judgment of the larger Bench in L.P.A. No.1647 of 2015
Baleshwar Roy V. The State of Bihar & Others. A full Court



of this Court has already delivered the judgment. Hence, the ratio of the said judgment would cover the field.

Therefore, this application is disposed of as infructuous. Petitioner would be at liberty to pursue the matter as per the judgment in the aforesaid L.P.A.

(Birendra Kumar, J)

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