

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.756 of 2022

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

Pradip Yadav Son Of Brahmdeo Yadav Resident Of Village- Kyotapatti, P.S.-
Supaul Nadi, District- Supaul.

... .. Petitioner/s

Versus

1. The State of Bihar through The Chief Secretary, Government of Bihar, Patna.
2. The Director General of police, Govt. of Bihar, Patna.
3. The Principal secretary, Department of Home , Government of Bihar, Patna.
4. The Under Secretary, Department of Home (Police Branch), Government of Bihar, Patna.
5. The District Magistrate, Supaul.
6. The Superintendent of Police, Supaul.
7. The Officer Incharge, Supaul Nadi Police Station, District- Supaul.

... .. Respondent/s

Appearance :

For the Petitioner	:	Mr. Murari Narain Chaudhary, Advocate
For the State	:	Mr. Prabhu Narayan Sharma, A.C. to A.G.

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
and
HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH)

3 16-08-2022 Heard Mr. Murari Narain Chaudhary, learned counsel

for the petitioner and Mr. Prabhu Narayan Sharma, learned A.C.

to Advocate General.

2. The petitioner has moved the Court for the
following reliefs:

*“i. For quashing of an order vide
letter no. 2950 dated 21/03/2022 (Annexure-6)
issued with the signature of the under Secretary,*



Department of Home, affirming the recommendation of the learned District Magistrate, Supaul (respondent No. 5) whereby and where under, the illegal detention of this petitioner has again been extend for a further period 9 (three) months w.e.f. 23/03/2022 of 22/06/2022 under the provision of section 12(2), 21 and 22 of the Bihar Control of Crime Act, 1981 has been approved.

ii. For quashing of an order vide Memo No. 7/C.C.A-10-09/2020 H.P. 2950 dated 21/03/2022, issued with the signature of the learned Under Secretary, Department of Home, Government of Bihar, Patna (Respondent No. 4), contained in Annexure-6 to this application, whereby and where under, after approval of the said illegal detention, period has been further extended for next three months.

iii. For a direction to the Respondents to release the petitioner henceforth after declaring detention of this petitioner as illegal and unconstitutional.

iv. For imposing heavy cost upon the Respondents for issuance of such illegal order of detention and awarding those amount to the petitioner by way of compensation for his sufferings during custodial period.

v. For any other relief or reliefs, the petitioner is entitled for.”



3. After some arguments, as prayed for by learned counsel for the petitioner, the writ petition stands disposed of as withdrawn.

(Ahsanuddin Amanullah, J)

(Purnendu Singh, J)

Ranjeet/-

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