

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No. 931 of 2022

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

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Santosh Yadav Son of Late Chandeshwari Yadav Resident of village - Balwa,
P.S.- Supaul, District - Supaul.

... .. Petitioner/s

Versus

1. The State of Bihar, Through the Chief Secretary, Government of Bihar,
Patna. Bihar
2. The Additional Secretary, Department of Home, Government of Bihar,
Patna. Bihar
3. The District Magistrate, Supaul. Bihar
4. The Senior Superintendent of Police, Supaul. Bihar

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Pramod Mishra, Advocate
	:	Mr. Vijay Kumar Mukul, Advocate
For the Respondent/s	:	Mr. Prashu Narain Sharma, Advocate, Ac to A.G.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

and

HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH)

3 26-09-2022 The Home (Police) Department of the State Government of Bihar, passed an order dated 22.06.2022 extending the period of preventive detention of the petitioner from 23.06.2022 to 22.09.2022 in exercise of its power under Section 12(2), 21 and 22 of the Bihar Control of Crimes Act 1981, which is under challenge in the present criminal writ application.

Learned counsel appearing on behalf of the petitioner



has submitted that the said order has been passed without giving the petitioner an opportunity to represent, which is a mandatory constitutional requirement for passing an order of preventive detention.

Be that as it may, the said impugned order dated 22.06.2022 has, as on date, lost its force as the period of the petitioner's custody expired on 22.06.2022.

This application stands disposed of accordingly, without entering into the merits of the aforesaid submission made on behalf of the petitioner, as the same would serve no useful purpose in this case.

(Chakradhari Sharan Singh, J)

(Khatim Reza, J)

Sankalp/-

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