

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1340 of 2021

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

SAHENDRA THAKUR Son of Late Anand Lal Thakur Resident of Village-
Potduara Tole Bishanpur, P.S.- Bajatti District- Sitamarhi, at present F-104
Lakshmi Park Nangloi, Nilothi, West Delhi.

... .. Petitioner/s

Versus

1. The State of Bihar through Secretary Home Department, Bihar, Patna. Bihar
2. The District Magistrate, Sitamarhi. Bihar
3. The Superintendent of Police, Sitamarhi. Bihar
4. The S.H.O. Bajpatti Police Station, District- Sitamarhi Bihar
5. The A.S.I. Bajpatti Police Station, Dist. Sitamarhi. Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Jha, Advocate

For the Respondent/s : Mr. M. Nasrul Huda Khan, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

6 21-03-2022 Heard the parties.

The petitioner has filed the instant application for the
following reliefs :

“(i) For issuance of appropriate writ, orders, direction to the respondent authorities to compensate the petitioner for the damages caused to him due to illegal attachment of the house built under Pradhan Mantri Awas Yojana on his purchased land, which was attached without proper inquiry.

(ii) Further to pass an order or direction to make free the property in



question which cannot be attached being the self acquired property of the petitioner, not being an accused of any offence.

(iii) Pass such an order or orders which the Court may deem fit and proper.”

Having heard learned counsel for the parties and on perusal of the record it transpires that the application of the petitioner for release of the seized articles including the property in question which was attached was rejected by the learned Court below vide order dated 4.10.2021 which the petitioner has not challenged in the instant application. Further the petitioner has an alternate and efficacious remedy of challenging the same in the learned Court below.

For the above reasons, the Court finds no merit in the application and the same is dismissed.

(Partha Sarthy, J)

Prakash/-

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