

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10057 of 2023

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Jeetendra Mishra Son of Late Banka Mishra, resident of village- Kusaba, P.S.-
Bhore, P.O.- Sisai Bazar, District - Gopalganj (Pincode - 841426).

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary, Home Department, Government of Bihar.
3. The Director General of Police, Bihar, Patna.
4. The District Magistrate, District - Gopalganj.
5. The Superintendent of Police, District - Gopalganj.
6. The Station House Officer, Bhorey Police Station, District - Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Surya Nilambari, Advocate
For the Respondent/s : Mr. Kumar Manish, SC-5

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE PARTHA SARTHY)

Date : 21-07-2023

Heard learned counsel for the parties.

2. The petitioner, who happens to be an advocate and describes himself to be a public spirited person, has filed the instant Public Interest Litigation for the following relief(s):-

“1. a) For a direction upon the Respondent Authorities to re-install the idol of ‘Sri Chaturbhujee Thakurjee’, which is lying in the custody of Bhore Police Station for over two decades, in the ‘Sri Chaturbhujee Thakurjee’ Temple situated at Lakhichak, P.S.-Bhorey, District- Gopalganj.

b) To pass any other order/orders in shape of a consequential relief to which the Petitioner may be found to be legally entitled to in the facts and



circumstances of the instant case at hand.”

3. Having heard learned counsel for the petitioner and having perused the contents of the writ petition it transpires that theft of the idol of the deity had taken place in the year 1996, for which an F.I.R was registered. Subsequently, the police recovered the idol from the *mahant*/priest of the temple. The petitioner seeks a direction to the respondents to reinstall the idol.

4. Having heard learned counsel for the parties, this Court is of the opinion that it is not for the advocate-petitioner but for the administration of the temple to move before the appropriate authority in case they seek any relief with respect to the temple in question.

5. The Court finds no merit in the instant Public Interest Litigation and the same is dismissed.

(K. Vinod Chandran, CJ)

(Partha Sarthy, J)

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CAV DATE	N/A
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