

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.162 of 2022

Chandra Deo Singh Son of Late Awadh Bihari Singh Resident of Flat No. 401, Hope Royal Regency, Bailey Road, Near Shiv Mandir Vijay Nagar, P.S. - Rukkunpura, District- Patna, Permanent Resident of Village - Dariyapur, Bikrampur, P.O. - Sarobagh, P.S. Dharahra, District- Munger.

... .. Petitioner/s

Versus

1. The State of Bihar Through the chief Secretary namely Tripurari Sharan Government of Bihar, Patna.
2. Mr. Tripurari Sharan, The Chief Secretary, Government of Bihar, Patna.
3. Mr. Jayantkant, The Superintendant of Police, Muzaffarpur.
4. Mr. Satyendra Kumar Mishra, S.I cum S.H.O. Sadar Police Station, Muzaffarpur.
5. Smt. Purnima Kumari A.S.I. (Investigating Officer), Sadar Police Station Muzaffarpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jagjit Roshan, Advocate

For the Opposite Party/s : Mr. Saroj Kumar Sharma, AC to AAG 3

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

6 29-02-2024 The present MJC application is filed for disobedience to the order dated 02.07.2014 passed in Criminal Appeal No. 1277 of 2014 (Special Leave Petition (Crl.) No. - 9127 of 2013) by the Hon'ble Supreme Court. FIR was registered on 06.11.2021 whereas the notice under Section 41 A of the Cr.P.C. was notified on 02.12.2021 and further charge sheet has been filed on 22.10.2022. Taking note of these facts and circumstances, the present MJC / contempt application stands



dropped.

2. At this stage, learned counsel for the petitioner tried to impress that the official respondents have committed contempt with reference to the fact that there is belated issuance of notice under Section 41 A of the Cr.P.C. Further, notice has been communicated to the informant. It is also submitted that in the absence of valid material, petitioner was subjected to arrest. These issues cannot be adjudicated in contempt of Court matters. If petitioner is aggrieved in respect of any violation of statutory provisions, he is at liberty to invoke remedy of filing damages against the State.

(P. B. Bajanthri, J)

(Alok Kumar Pandey, J)

GAURAV S./-

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