

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Writ Jurisdiction Case No.1090 of 2024**

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

HASMAT ALI SON OF MOHAMMAD SYED @ SYED MIAN RESIDENT  
OF VILLAGE - MAHUARI, P.S. - SIWAN MUFFASIL, DISTRICT -  
SIWAN

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR, THROUGH THE PRINCIPAL SECRETARY  
HOME DEPARTMENT, BIHAR, PATNA Bihar
2. THE COMMISSIONER, SARAN DIVISION, SARAN AT CHAPRA  
BIHAR
3. THE DISTRICT MAGISTRATE, SIWAN BIHAR
4. THE SUPERINTENDENT OF POLICE, SIWAN BIHAR
5. THE SUPERINTENDENT OF POLICE, KHAGARIA BIHAR
6. THE SHO, SIWAN MUFFASIL POLICE STATION, DISTRICT - SIWAN  
BIHAR
7. THE SHO, KHAGARIA TOWN POLICE, DISTRICT - KHAGARIA  
BIHAR

... .. Respondent/s

**Appearance :**

For the Petitioner/s : Mr.Javed Aslam, Advocate  
For the Respondent/s : Mr.Mujiabaul Haque, G.P.12

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

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

2      24-06-2024                      In the instant petition, petitioner has prayed for the  
following relief(s):-

*“A. A writ in the nature of  
certiorari or any other appropriate  
writ/writs, order/orders or direction  
quashing the following:-*

*(i) Notice dated 09.04.2024  
contain in memo no. 261 Mu. Issued  
under the signature of District*



*Magistrate, Siwan in C.C.A. Case No. 154/2024 asking the petitioner to appear in the court on 15.04.2024 at 11.00 A.M. and filed his show cause as to why an order under section 3 of Crimes of Control Act may not be passed against him.*

*(ii) Order dated 18.04.2024 passed in C.C.A. Case No. 154/2024 by the District Magistrate, Siwan. By which the petitioner is ordered to District Banishment for the period 27.04.2024 to 06.06.2024 and order to him give his attendance in Khagaria Town Police Station every day at 12.00 o'clock in the midday.*

*B. A writ in the nature of mandamus or any other appropriate writ/writs, order/orders, direction commanding the respondents for the following:-*

*(i) To treat the notice/order contained in Annexure-1 & 2 to this petition are no nest in the eye of law.*

*(ii) To hold that the matter of the petitioner does not comes within the preview of section 3 or 2(b) of the Crimes of Control Act.*

*C. To any order relief/reliefs for which the petitioner found entitled to.”*

2. Perusal of the impugned order dated 18.04.2024, it is evident that it would be effective for a period of two months w.e.f. 18.04.2024. As on this day, the impugned order dated 18.04.2024 is not existing in the eye of law.



3. In view of these facts and circumstances, the present petition stands disposed of as it has become infructuous.

(P. B. Bajanthri, J)

( Alok Kumar Pandey, J)

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