

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9785 of 2024

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B. Anamika Wife of Shri Neelkamal, Resident of Muhalla Matri Chaya,
R.M.S. Colony, Road No. 1, near New Bye-pass Kankarbagh, Police Station-
Kankarbagh, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary of the Government of Bihar,
Patna.
2. The Additional Chief Secretary, Home (Police) Department, Government of
Bihar, Patna.
3. The Deputy Secretary, Home (Police) Department, Government of Bihar,
Patna.
4. The Superintendent, Government Press, Gulzarbag, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar Sinha 2, Advocate
For the Respondent/s : Mr. Advocate General

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE HARISH KUMAR)

Date : 28-06-2024

We have heard the learned Advocate for the petitioner
and the learned Government Advocate for the State.

2. The petitioner by invoking the extra ordinary
jurisdiction of this Court has filed the present writ petition by
way of a public interest litigation seeking a direction upon the
respondents to issue notification under Section 2 (s) of the
Cr.P.C., declaring establishment of Vigilance Police Station, 6
Circular Road, Patna, Bihar.



3. Learned Advocate for the petitioner contended that in absence of any such notification being issued in the Bihar Gazette, declaring the establishment of Vigilance Police Station, it is not a police station in the eye of law. Referring to the definition of police station as prescribed under Section 2 (s) of the Cr.P.C., it is categorically submitted that the 'police station' means any post or place declared generally or specially by the State Government, to be a police station and includes any local area specified by the State Government in this behalf. It is further contended that Section 2 (m) of the Cr.P.C defines 'notification' means a notification published in the Official Gazette. The learned Advocate would thus contend that as there is no notification available regarding establishment of Vigilance Police Station, 6 Circular Road, Patna nor there is any publication in the Bihar Government Official Gazette, the very functioning and exercising the jurisdiction of Vigilance Police Station is under cloud.

4. Adverting to the aforesaid fact, submission has been made that in the interest of justice, a notification in the Official Gazette is required to be notified or published, declaring the Vigilance Police State, 6 Circular Road as a police station.



5. We have carefully gone through the averments made in the writ petition and heard the parties.

6. Bare reading of definition of police station, *prima facie*, this Court finds that the declaration of any post or place to be a police station is directory in nature. Moreover, any writ petition by way of public interest litigation ought not to be entertained only for academic purpose. The Court cannot act as an advisory authority, unless the same is required to be answered for adjudication of any issue involved in the writ petition. It is for the respondent State authorities to look into the matter, as discussed in the writ petition. Any observation of this Court will be uncalled for.

6. The writ petition having no merit does not require any interference, the same stands dismissed.

(K. Vinod Chandran, CJ)

(Harish Kumar, J)

shivank/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	03.07.2024
Transmission Date	NA

