

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12356 of 2021

-
-
1. Azad Kumar Son of Late Avinash Kumar Singh Resident of Village - Sabalpur, Post Office and Police Station - Rajgir, District - Nalanda (Bihar).
 2. Raj Nandan Singh alias Rajo Singh Son of Late Karu Singh Resident of Village - Sabalpur, Post Office and Police Station - Rajgir, District - Nalanda (Bihar).

... .. Petitioner/s

Versus

1. State of Bihar through the Principal Secretary, Government of Bihar.
2. The District Magistrate Cum the Collector, Nalanda.
3. The Sub-Divisional Magistrate, Rajgir (Nalanda).
4. Shambhu Saran Pandey Son of Late Avadh Kishor Pandey Resident of Village - Mahadeopur, Post Office and Police Station - Rajgir, District- Nalanda (Bihar).

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Aklavya Chandan Kumar, Adv.
For the State-resp.	:	Mr. Raj Kishore Roy (GP-18)

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

4 01-11-2025 Learned counsel appearing for the petitioners submits that the office has rightly pointed out the defect No. 32 which states that the order impugned has to be challenged by way of criminal writ jurisdiction though, it is the usual practice to challenge such impugned orders by way of civil writ jurisdiction and in this regard, the order dated 05.12.2024 passed by this Court in CWJC No. 13189 of 2018 may be perused.

2. This Court finds substance in the office report with regard to the maintainability of this writ petition as the order impugned, which was been passed under section 144 of Cr.P.C.,



ought to have been challenged under the criminal writ jurisdiction, hence, let the matter be converted into criminal writ petition and in this regard, necessary step be taken by petitioners’ counsel in the next one week and thereafter, let the matter be listed before appropriate Bench under appropriate heading.

(Shailendra Singh, J)

annu/-

U			
---	--	--	--

