

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1427 of 2025

Arising Out of PS. Case No.-19 Year-2023 Thana- JAMUI District- Jamui

Md. Sarfaraj Alam S/O Md. Nijamuddin Resident of Village- Bhacchiyar, P.S.
and Dist- Jamui.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Jamui. Bihar
2. Md. Sanjar S/O Md. Anwar R/O Raja Nagar, P.S and Distt.- Jamui.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Ranjit Kumar, Advocate Mr. Satya Prakash Parasar, Advocate
For the NIA	:	Dr. Krishna Nandan Singh, Sr. Advocate Mr. Arvind Kumar, Spl. P.A. Mr. Shivaditya Dhari Sinha, AC to ASG Mr. Paritosh Parimal, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 14-07-2025 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The petitioner has moved the Court for the
following reliefs:

“i) For issuance of an appropriate writ in the nature of certiorari for quashing of the order dated 16.06.2025 passed in Sessions Trial No. 489/2023 by the learned A.D.J.-IV, Jamui whereby and where under the learned Trial Court has rejected the application filed on behalf of the informant with a limited prayer to direct the Investigating Officer to produce the firearm in question which is the part of the seizure memo which has been exhibited as Exhibit in the present case.

(ii) For further direction to the Respondent authorities to direct the learned



Trial Court to exercise the power of Section 165 of the Indian Evidence Act to produce the pistol which has been used in the present crime while killing the brother of the informant in the ends of justice.”

3. The application dated 16.06.2025 has been rejected by the Additional District Judge-IV, Jamui only on the ground that it has been filed by the petitioner, who is the informant of the case and not the public prosecutor.

4. In my opinion, the petition on behalf of the informant was maintainable and therefore the order dated 16.06.2025 is set aside with a direction to the Additional District Judge-IV, Jamui to consider the petition on merits and pass an order within one week from the date of receipt/production of a copy of this order.

5. Let a copy of this order be communicated to the Principal District and Sessions Judge, Jamui forthwith through FAX or e-mail for its compliance.

6. This application is disposed of.

(Sandeep Kumar, J)

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