

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.321 of 2018

Arising Out of PS. Case No.- Year-1111 Thana- District-

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Bihari Sah S/o Late Bhagwat Sah, R/o Village- Behrari, P.S.- Shankarpur,
District- Madhepura.

... .. Petitioner

Versus

1. The State Of Bihar Through The District Magistrate, Madhepura
2. The District Magistrate, Madhepura.
3. The Sub Divisional Officer, Madhepura.
4. The Circle Officer, Shankarpur, District- Madhepura.
5. The Executive Magistrate, Madhepura.

... .. Respondents

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Appearance :

For the Petitioner	:	Mr. Sunil Kumar, Advocate
		Mr. Pramod Mishra, Advocate
For the Respondents	:	Md. Khurshid Alam AAG-12

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 22-08-2025 The present Criminal Writ Petition has been preferred by the Petitioner seeking quashing the notice issued to the Petitioner under Section 133 Cr.PC dated 06.10.2017 and 14.11.2017 respectively, in Criminal Miscellaneous Case No. 733 of 2017 from the Executive Magistrate, Madhepura.

2. Heard learned counsel for the Petitioner and learned counsel for the State.

3. In my considered opinion, the present Criminal Writ Petition is completely misconceived. The Petitioner has remedy to file show cause to the notice issued under Section 133 Cr.PC and if any adverse order is passed against the



Petitioner despite his show cause, he has remedy to take appropriate remedy against the order which might be passed by learned Executive Magistrate under Section 133 Cr.PC.

4. At this stage, learned counsel for the Petitioner is seeking permission to withdraw the present petition with liberty to file show cause to the notice received from learned Executive Magistrate and other further step.

5. Accordingly, the present petition is dismissed as withdrawn with the aforesaid liberty as sought for by the Petitioner.

(Jitendra Kumar, J.)

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