

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.2945 of 2025

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

=====

Gulab Paswan, Son of Jiwach Paswan, Resident of Village- Aunsi Babhangama, Police Station - Aunsi, District - Madhubani.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Home Department, Govt. of Bihar, Sachiwalaya, Bailey Road, Patna.
2. The District Magistrate, Madhubani.
3. The Superintendent of Police, Madhubani.
4. The Sub-Divisional Police Officer, Benipatti, Madhubani.
5. The Inspector Cum Officer In Charge, Aunsi Police Station, District Madhubani.

... .. Respondents

=====

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Das, Advocate
For the Respondent/s : Mr. Anil Kumar, AC to G.P.20

=====

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
and
HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD)

2 12-11-2025 Heard learned counsel for the petitioner and learned

AC to GP-20 for the State.

2. The petitioner in this case has questioned the order dated 19.08.2025 passed by the District Magistrate, Madhubani in CCA Case No. 181 of 2025 in exercise of his power under Section 3 of the Bihar Control of Crimes Act, 2024 (hereinafter referred to as the ‘BCC Act, 2024’).

3. By the impugned order, directions were issued to the petitioner to mark his attendance in Benipatti Police Station



every Sunday and Thursday of the week between 10:00 AM and 11:00 AM and also in the evening between 05:00 PM and 06:00 PM. An order of externment from the jurisdiction of the police station was also ordered during the election period.

4. We have found from the impugned order that it was issued on 29th August, 2025, however, the voting for the Assembly Election in the State of Bihar has already come to an end on 11th November, 2025. The impugned order was passed only keeping in mind the elections. At this stage, we are of the opinion that the writ application has become infructuous because the impugned order has taken effect and is no longer operative after the voting has taken place in the State Assembly Election.

5. Learned counsel for the petitioner has expressed apprehension that on the strength of this order, again, similar kind of order may be passed by the District Magistrate, Madhubani taking as if he is an anti-social element within the meaning of the BCC Act, 2024.

6. We make it clear that we have not gone into the merit of the case at this stage and by holding that the writ application has become infructuous, we are not approving the order of the District Magistrate, Madhubani. In future, if any



such occasion arises, it will be open to the petitioner to raise all such pleas which may be available to him in accordance with law.

7. This writ application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

(Sourendra Pandey, J)

lekhi/-

U			
---	--	--	--

