

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.226 of 2024

Arising Out of PS. Case No.-156 Year-2010 Thana- SAKRI District- Madhubani

Santosh Kumar @ Santosh Kumar Choudhary Son of Dukhan Chaudhary
Resident of D. Jaiswal House No.- 1, 2020 Gali No.- 24 Sangam Vihar
Pushpa Bhawan S. O. South Delhi, Delhi at Present residing at Chenari, P.S.
Sakari, District - Madhubani.

... .. Petitioner

Versus

1. The State of Bihar through the Secretary Department of Law Govt. of Bihar,
Patna. Bihar
2. The Registrar Civil Court Madhubani. Bihar

... .. Respondents

Appearance :

For the Petitioner/s	:	Mr. Gagandeo Yadav, Advocate Mr. Rajesh Kumar, Advocate Mr. Ravi Prakash, Advocate
For the Respondent/s	:	S.C.-6
For Respondent No.2	:	Mr. Ashar Mustaffa, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 17-04-2025

Heard the parties.

2. This writ application has been filed for a direction upon the respondents to refund the amount of Rs.1,08,000/- along with interest to the petitioner, which has been deposited by the petitioner in the registry of the District Court, Madhubani in light of the order of the order dated 23.01.2012 passed by a coordinate Bench of this Court in Criminal Miscellaneous No.1856 of 2012.

3. Learned counsel for the respondent no.2 submits that this dispute cannot be settled in this Court as the deceased may have died after leaving her legal heirs and the



petitioner may move the District Court, Madhubani for the relief which has been sought in the present application.

4. In view of the aforesaid, this criminal writ application is disposed of with liberty to the petitioner to move before the competent Civil Court for redressal of his grievance by filling an appropriate application and making the legal heirs of the deceased as party. If such an application is filed, the concerned Court below shall pass appropriate order in accordance with law.

5. With the aforesaid observations and directions, this criminal writ application is disposed of.

(Sandeep Kumar, J)

pawan/-

U		T	
---	--	---	--

