

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.157 of 2026

Arising Out of PS. Case No.-24 Year-2024 Thana- ANTICHAK District- Bhagalpur

Mukesh Pahariya

... .. Petitioner/s

Versus

The State of Bihar, through the District Magistrate Bhagalpur & Anr.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Diwakar Upadhyaya, Advocate
For the Respondent/s : Mr. S.C.4

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 02-07-2026 Present writ petition has been filed for setting aside the order dated 17.07.2025 passed by the learned Additional Sessions Judge-VII-cum-Exclusive Special Judge, POCSO Act, Bhagalpur in POCSO Case No. 29 of 2024 arising out of Antichak P.S. Case No. 24 of 2024.

2. The judicial orders of the Civil Court are not amenable to writ jurisdiction under Article 226 of the Constitution of India as has been held by the Hon'ble Supreme Court in the case of *Neeta Singh and Others Vs. State of Uttar Pradesh and Others, 2024 SCC OnLine SC 5761*.

3. Faced with the situation, learned counsel for the petitioner seeks permission to convert the instant criminal writ petition into a petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023.



4. Permission is accorded.

5. Learned counsel for the petitioner is permitted to convert the present criminal writ petition into a petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, within two weeks.

6. The office is directed to extend all co-operation to the learned counsel for the petitioner towards conversion.

7. As soon as the petitioner takes step for conversion of the petition, the converted petition be listed before the appropriate Bench.

(Arun Kumar Jha, J)

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