

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.462 of 2025

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Varun Kumar Mehta @ Varun Kumar S/o Sh. Kedar Nath Mehta R/o Katra Bazar, P.s.- Malasalami, Distt.- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Deptt. of Home Affairs, Govt. of Bihar Patna
2. Sub Divisional Magistrate, Patna City, Bihar
3. The Senior Superintendent of Police, Patna
4. The P.S. In-Charge, Malsalami Police Station, Patna Bihar
5. Saiyad Wasim Hasan S/o Saiyad Sharful Hasan R/o Mohalla- B.M. Das Road, Bankipur ward no. 41, P.O.- Bankipur, P.S.- Pirbahor, Distt.- Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Surya Swetabh, Adv. Mr. Sagar Suman, Adv.
For the Respondent/s	:	Mr. Ravi Kumar, A.C. to G.P. 13

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 17-03-2026 Heard the parties.

2. The present writ in the nature of certiorari has been preferred for quashing the notice dated 20.12.2024 initiated by the Court of learned S.D.M., Patna City under Section 163 of B.N.S.S. in Misc. Case No.976/2024.

3. Learned counsel for the petitioner submits that the notice under Section 163 of B.N.S.S. has been issued on 20.12.2024 and two months have already elapsed from the date of issuing the notice. In this way, the force of notice has come to an end.

4. Learned counsel for the State has conceded that the



notice under Section 163 of B.N.S.S. has been issued and the effect of notice should be only for two months from the issuance thereof. He has also cited para 8 stating that the matter relates to complex question of right, title and possession over the land in question which is not possible under the provision of Section 163 B.N.S.S. and the proceeding of said case has already been dropped by Memo No. 442 dated 21.03.2025 as annexed at Annexure-R/A and the concerned parties have been given liberty to approach the concerned court.

5. In the light of aforesaid facts and circumstances of the case and considering the submissions advanced by both sides, the present writ stands disposed of with liberty to the petitioner that if the petitioner has any further grievance, he may approach appropriate forum.

(Alok Kumar Pandey, J)

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