

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.477 of 2026

Arising Out of PS. Case No.-93 Year-2025 Thana- HALAI District- Samastipur

Chandeshwar Paswan S/o- Late Mahavir Paswan Village- Larua PS- Halai,
Dist- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar through Home Secretary, Govt. of Bihar, Patna, Bihar Bihar
2. The Director General of Police, Bihar, Patna Bihar
3. The Deputy Inspector General, Darbhanga Bihar
4. The District Magistrate, Samastipur Bihar
5. The Superintendent of Police, Samastipur Bihar
6. The Sub Divisional Police Officer, Samastipur Bihar
7. The SHO Halai, Samastipur Bihar
8. The Investigating Officer, Halai P.S. Case No. 93/2025
9. Sabita Devi w/o- Nagina Paswan R/v- Larua PS- Halai Dist- Samastipur

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Surya Narayan Roy, Advocate
For the Respondent/s : Mr. Amish Kumar, AC to AG

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
and
HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE SUDHIR SINGH)

2 13-03-2026 Heard learned counsel for the parties.

2. The present writ application has been preferred by
the petitioner seeking the following relief(s) :

"I. To issue an appropriate writ order; direction in the nature of Habeas Corpus directing the respondents specially Respondent No. 7 S.H.O. Halai who has taken petitioner illegal custody on 09.01.2026 at 11.00 PM night when ever



petitioner was granted stay in Cr. Appeal (SJ) No. 4166/2025 on 11.11.2025 in anticipatory bail and also handcuffed.

II. To issue an appropriate writ /order/direction to Respondent No. 7 follow the order of Hon'ble High court granting stay when ever order produced by petitioner.

III. To issue an appropriate writ order direction to respondents for granting heavy compensation amount Rs. 50,000,00/- (Fifty lac) for illegal action."

3. The facts of the case are that Halai P.S. Case No. 93 of 2025 dated 01.06.2025 was instituted by the S.H.O., Halai Police Station, District Samastipur, under Sections 126(2), 115(2), 118(1), 117(2), 109(1), 76, 303(2), 352, 351(2) & (3), 3(5) of the Bharatiya Nyaya Sanhita and Sections 3(1)(r), 3(1)(s) and 3(1)(w) of the SC/ST (Prevention of Atrocities) Act against the petitioner and others. The petitioner had earlier filed A.B.P. No. 1549 of 2025 before the learned Special Judge, SC/ST (POA) Act, Samastipur, which was rejected on 04.09.2025, whereafter the petitioner preferred Cr. Appeal (SJ) No. 4166 of 2025 before this Court. By order dated 11.11.2025, this Court directed that no coercive steps shall be taken against the petitioner. It is alleged that despite the aforesaid order, the petitioner was arrested by the police on 09.01.2026, kept in custody at Halai Police Station and on the next day produced before the court in handcuffs.



4. Learned counsel for the State submits that due to some inadvertent mistake, the petitioner was taken into police custody for a day, however, on the very next day he was released.

5. In view of the aforesaid submission and considering the fact that the petitioner has already been released and is no longer in custody, no further order is required to be passed in the present writ application.

6. Accordingly, this application stands disposed of.

7. Pending application(s), if any, shall also stand disposed of.

(Sudhir Singh, J)

(Sunil Dutta Mishra, J)

Rajesh/-

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