

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.569 of 2025

Arising Out of PS. Case No.-98 Year-2024 Thana- RAMGARH District- Kaimur (Bhabua)

Anil Singh, Son of Ramji Singh @ Ram Ji Singh, R/o village - Narbatpur,
Chausa, P.S.- Buxar Mufassil, District - Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar through The Chief Secretary, Home Department, Govt. of Bihar, Patna. Bihar
2. The Principal Secretary, Transport Department, Govt. of Bihar, Patna Bihar
3. The District Magistrate-cum-Collector, District - Kaimur. Bihar
4. The Superintendent of Police, District - Kaimur. Bihar
5. The S.H.O., Ramgarh (Nuaon) P.S., District - Kaimur. Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Pradhan, Advocate
For the Respondent/s : Mr.G.P.7

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 09-01-2026 Apparently, the petitioner has approached this Court against the two judicial orders dated 30.05.2024 passed by the learned Judicial Magistrate, 1st Class, Mohania in Ramgarh (Nuaon) P.S. Case No. 98 of 2024 as well as order dated 21.09.2024 passed by the learned Sessions Judge, Kaimur at Bhabua in Criminal Revision No. 94 of 2024, although prayer has been made seeking direction to the respondent authorities for release of the Bolero Pick-up vehicle bearing registration no. BR-44GA-5228 in favour of the petitioner, which has been seized in connection with Ramgarh (Nuaon) P.S. Case No.98 of 2024, registered under Sections 414/34 of Indian Penal Code



read with Sections 11(i)(d)(e)(f) of Prevention of Cruelty of Animal Act. However, the petitioner has approached the learned trial court seeking release of the aforesaid vehicle and the prayer for release of the vehicle was rejected vide order dated 30.05.2024 passed by the learned Judicial Magistrate, 1st Class, Mohania. Subsequently, the petitioner preferred Criminal Revision No.94/2024 before the learned Sessions Judge, Kaimur at Bhabua and the learned revisional court upheld the order of the learned trial court and rejected the criminal revision petition of the petitioner. Therefore, effectively, the petitioner has been challenging two judicial orders in the garb of seeking release of his vehicle.

2. The Hon'ble Supreme Court in the case of *Neeta Singh & Ors. Vs. State of Uttar Pradesh & Ors.* in Special Leave Petition (Crl. A. No. 13578 of 2024) and *Pradnya Pranjal Kulkarni Vs. State Of Maharashtra & Anr* in Special Leave to Appeal (Crl.) No.13424/2025, has held that judicial orders are not amenable to writ jurisdiction under Article 226 of the Constitution of India, though the same may be challenged under Article 227 of the Constitution or Section 528 of BNSS.

3. At this stage, the learned counsel for the petitioner seeks permission to convert the present petition into a criminal



miscellaneous petition under appropriate heading.

4. Permission is accorded.

5. Learned counsel for the petitioner is directed to convert the present petition into a criminal miscellaneous petition under appropriate heading within two weeks.

6. Office is directed to extend all cooperation towards conversion.

(Arun Kumar Jha, J)

V.K.Pandey/-

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