

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.807 of 2026

Arising Out of PS. Case No.-201 Year-2024 Thana- LAXMIPUR District- Jamui

Narendra Kumar @ Narendra Das S/O Sri Jayaprakash Das R/O Village-
Najari, P.S.- Laxmipur, Distt.- Jamui.

... .. Petitioner

Versus

1. The State of Bihar, through the Chief Secretary Government of Bihar, Patna
2. The Additional Chief Secretary Department of Home Bihar Old Secretariat,
P.O.- G.P.O, P.S- Sachiwalay, Dist.- Patna.
3. The Director General of Police, Bihar Old Secretariat, P.O.- G.P.O., P.S-
Sachiwalay, Distt.- Patna.
4. The Deputy Inspector General of Police, Munger Division At P.O and P.S-
Munger Fort, Distt.- Munger.
5. The District Magistrate, Jamui At P.O and P.S and Distt.- Jamui.
6. Superintendent of Police, Jamui At P.O and P.S and Distt.- Jamui.
7. The Dy. S.P., Jamui At P.O. and P.S. and Distt.- Jamui.
8. The Officer in Charge, Police Station- Laxmipur P.O and P.S.- Laxmipur,
Distt.- Jamui.
9. Lalan Das S/O Late Yugal Kishore Das R/V Najari, P.O and P.S- Laxmipur,
Distt.- Jamui.

... .. Respondents

Appearance :

For the Petitioner/s	:	Mr. Rajesh Kumar Sinha, Advocate
For the State	:	Mr. Sumant Kumar Singh, AC to G.A.2

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
and
HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD)

2 20-04-2026 Heard learned counsel for the petitioner and learned
AC to GA-2 for the State of Bihar.

2. The petitioner in the present case has challenged
the order dated 05.11.2025 passed by the District Magistrate
(Respondent No. 5) under Section 3(3) of the Bihar Control of



Crimes Act, 1981 (as amended up to date) whereby and whereunder the petitioner has been ousted from his police station and directed to give attendance before the Lachhuar Police Station from 10:00 AM to 05:00 PM from 08.11.2025 to 15.11.2025.

3. Learned counsel for the petitioner submits that due to a land dispute, the petitioner has been involved in two cases, namely, (1) Laxmipur P.S. Case No. 201 of 2024 registered under Sections 147, 341, 506, 385, 504, 323, 354, 325, 354(B) of the Indian Penal Code and Section 3/ 4 of the Dayan Act by one agnate, and (2) Laxmipur P.S. Case No. 63 of 2025 registered under Sections 191(2), 126(2), 115(2) and 74 of the Bhartiya Nyay Sanhita by his another agnate and in both the cases, the petitioner is on bail. Thereafter, a sanha entry was done in Laxmipur Police Station. Certain allegations have been made against Respondent No. 9 and it is alleged that he was involved in filing false case and to get settlement with the police.

4. Learned counsel submits that the petitioner was directed to mark his attendance at a distance of more than 30 kilometers from Laxmipur Police Station and he was asked to mark his attendance everyday at 10:00 AM and 05:00 PM. This



is against the rules which direct that the attendance may be allowed to be marked in the nearest police station. As a result of this arbitrary order, the petitioner has suffered civil consequences as he lost his work and his shop suffered irreparable loss. It is for this reason that the petitioner has submitted that even though the period has expired, this Court should issue a direction that in future, he should not be subjected to such illegal order.

5. On the other hand, learned AC to GA-2 for the State submits that since in this case, the period of externment has already expired as back as on 15.11.2025, so far as this matter is concerned, it has become infructuous. This Court may direct the District Magistrate, Jamui and the Superintendent of Police, Jamui that in future, they should abide by the provisions of law.

6. Having regard to the entire facts and circumstances of the case, without going into the merit of the case at this stage, we are satisfied that so far as the direction to mark attendance at a distance of 30 kilometers twice at 10:00 AM and 05:00 PM respectively is concerned, it is in violation of Rule 6 of the Bihar Control of Crimes Rules, 1978. The impugned order suffers from infirmities, however, at this stage, since the order



has already taken effect, we refrain from proceeding with the matter.

7. We put the Superintendent of Police, Jamui and the District Magistrate, Jamui on caution that in future while taking recourse to the provisions of the Bihar Control of Crimes Act, they must abide by the spirit of the Act and the Rules made thereunder, failing which this Court would take it as a serious lapse on their part as it has the potential to curtail the life and liberty of the petitioner.

8. We leave it open to the petitioner to seek his consequential remedy, if any, as may be advised to him.

9. Let the order be communicated to the Superintendent of Police, Jamui and the District Magistrate, Jamui.

10. This writ application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

(Soni Shrivastava, J)

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