

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.895 of 2022

Arising Out of PS. Case No.-153 Year-2018 Thana- AIRPORT District- Patna

Uma Singh W/o Prem Chand Singh, R/o village- Sahuka, P.S.- Ramgarh,
District- Kaimur (Bhabhua) Bihar, Presently Posted as Inspector Bihar Police
at S.P. Office, Vaishali, Hajipur, Bihar

... .. Petitioner/s

Versus

1. The State of Bihar through Additional Chief Secretary Home, Government of Bihar, Patna Bihar
2. The Additional Chief Secretary Home, Government of Bihar, Patna Bihar
3. The Director General of Police, Bihar, Patna Bihar
4. The Inspector General Police, Tirhut Division, Muzzafarpur Bihar
5. The Superintendent of Police, Vaishali, Hajipur Bihar
6. Ramesh Kumar Choubey S/o Shivjee Choubey R/o- 2/22 Madhuban Awash Complex Lohiya Nagar Kankarbagh, P.S.- Patrakar Nagar, District- Patna-20

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Surendra Kumar Singh, Advocate Ms. Sudha Chandra, Advocate
For the State	:	Mr. Suman Kumar Jha, AC to AAG-3

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

5 18-06-2026 The writ petition is yet to be admitted.

2. I heard learned counsel for the petitioner on the
point of the maintainability of the petition.

3. I find that the present writ petition has been
preferred for the following reliefs:

“(i) To issue an appropriate writ, order or direction commanding the Respondents to take immediate prompt penal action against the Respondent No.6 as per law in pursuance of the order passed by Smt. Tanveer Kaur, J.M. Ist Class, Patna in G.R. No. 4784 of 2018 arising out of Patna Hawaiiadda P.S. Case No. 153 of 2018 issuing warrant of Arrest against Respondent No.6 on 16.12.2021.

(ii) To issue further appropriate writ, order or direction commanding Respondents to take appropriate



and suitable penal action against him for continuously creating nuisance against the petitioner by posting abusive, frivolous, baseless, hateful and derogatory messages, touching the prestige, integrity and dignity of the petitioner.

(iii) To issue further appropriate writ, order or direction commanding the Respondent Authorities to provide complete protection from the abusive, frivolous, baseless, hateful and derogatory messages posted by the Respondent No.6 on different Social Media Platforms against the petitioner causing immense mental harassment to the petitioner.

(iv) To Award any other relief or reliefs which the petitioner is found entitled by this Hon'ble Court in the fact and circumstances of the case.”

4. However, order passed by Smt. Tanveer Kaur, J.M.

Ist Class, Patna in G.R. Case No. 4784 of 2018, arising out of Patna Hawaiadda P.S. Case No. 153 of 2018 has not been annexed. However, learned counsel for the petitioner submits that by this order, learned Judicial Magistrate has issued Arrest Warrant against Respondent No.6, who is accused in Patna Hawaiadda P.S. Case No. 153 of 2018, filed by the petitioner against Respondent No.6. He further submits that the Arrest warrant issued by learned Judicial Magistrate is not being executed by the police.

5. Here, it is pertinent to point out that enforcement of any order passed by any Court is duty of the same Court, who has passed the order. If Arrest warrant issued by learned Judicial Magistrate has not been executed by the police, the petitioner has remedy to move application before the concerned Judicial



Magistrate for execution of the Arrest Warrant.

6. As far as relief Nos. 2 and 3 are concerned, learned counsel for the petitioner submits that Respondent No.6 is doing criminal act by posting abusive, frivolous, baseless, hateful and derogatory messages, questioning the integrity and dignity of the petitioner. Hence, criminal action is required to be taken by the respondent police authorities against private Respondent No.6.

7. However, learned counsel for the petitioner informs that the petitioner has already filed criminal case on account of such criminal act of the Respondent No.6/Ramesh Kumar Choubey. Hence, he has already taken appropriate legal remedy in view of the alleged criminal act by the Respondent No. 6.

8. Accordingly, the present petition is dismissed with liberty to the petitioner to resort to appropriate legal remedy or pursue the same, if he has already resorted to.

(Jitendra Kumar, J.)

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