

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1337 of 2021

Arising Out of PS. Case No.-368 Year-2017 Thana- SIWAN CITY District- Siwan

Vijay Kumar Son of Late Swami Nath Prasad Resident of Flat- FF2, Ravipurta Apartment, Srinagar, Gajuwaka, Vishakhapatnam, Andhra Pradesh, having hometown at village- Tekari, Police Station- Hussain Ganj, District- Siwan at present posted as Deputy Controller of Explosives, PESO, Department of Industrial Policy and Promotion Explosives Section, Govt. of India, Ministry of Commerce and Industries (formerly Department of Explosives) residing at House No.126, Block 16, CPWD Quarters, Indira Nagar, Chennai, Tamil Nadu.

... .. Petitioner/s

Versus

1. The State Of Bihar Through The Principal Secretary, Deptt. Of Home, Govt. Of Bihar, Patna Bihar,
2. The Director General Of Police, Bihar, Patna
3. The Inspector General Of Police, Saran Range
4. The Registrar General, Patna High Court, Patna
5. The Deputy Inspector General Of Police, Saran Range
6. The Superintendent Of Police, Siwan
7. Sri Ravikant Dubey, the then A.S.I., Siwan Town Police Station, Siwan
8. Sri Subodh Kumar, the then S.H.O., Siwan Town Police Station, Siwan
9. The S.H.O., Hussenganj Police Station, Bihar Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ankit Katriar, Advocate.
For the State : Mr. Iqbal Asif Niazi, AC to GP-5

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

10 12-01-2026 The present Cr. writ petition has been preferred by the petitioner against the Police authorities as well as Judicial Magistrate and Principal District and Sessions Judge, Siwan, being aggrieved by allegedly illegal arrest and remand.

2. However, on query, learned counsel for the petitioner admits that he has never challenged the remand order.

As such, remand of the accused after arrest being not



challenged, arrest and remand stand legal as of now. As such, there was no occasion for the petitioner to challenge the arrest by the Police and remand by the Judicial Officer in Criminal writ jurisdiction.

3. Moreover, learned counsel for the State brings to the notice of this Court that even earlier similar Cr. Writ Jurisdiction Case No. 1769 of 2017 was filed by the present petitioner in this Court and same was dismissed vide order dated 26.04.2023 holding that the Court cannot restrain the authorities from registering cases or remanding the accused. As such, the present petition is a gross abuse of the process of the court.

4. Hence, the present writ petition is dismissed with cost of Rs.5,000/- imposed against the petitioner so that such frivolous Cr. Writ petition is not filed. The Court is already overburdened with heavy backlog of the cases. This amount must be deposited by the petitioner in the Patna High Court Legal Services Committee under the head “Legal Aid” within one month from today.

(Jitendra Kumar, J)

S.Ali/-

U			
---	--	--	--

