

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Writ Jurisdiction Case No.1737 of 2019**

Arising Out of PS. Case No.-59 Year-2019 Thana- MALI District- Aurangabad

Rakesh Kumar @ Krishna Ram S/O Late Ganesh Ram R/o Village- Kolh  
Manjhauli, P.S.- Mali, District- Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, Aurangabad
3. The Superintendent of Police, Aurangabd.
4. The Sub - Divisional Officer, Aurangabad
5. The Officer - In- Charge of Police, Mali Police Station- District-  
Aurangabad
6. Sheopujan Singh Son of Late Yadu Singh Resident of Village- Kolth  
Manjhauli, P.S.- Mali, District- Aurangabad.
7. Raj Mohan Singh Son of Late Yadu Singh Resident of Village- Kolth  
Manjhauli, P.S.- Mali, District- Aurangabad.
8. Jag Mohan Singh Son of Late Yadu Singh Resident of Village- Kolth  
Manjhauli, P.S.- Mali, District- Aurangabad.
9. Mardul Singh Son of Sheopujan Singh Resident of Village- Kolth  
Manjhauli, P.S.- Mali, District- Aurangabad.
10. Sanyog @ Sanjay Singh Son of Sheopujan Singh Resident of Village- Kolth  
Manjhauli, P.S.- Mali, District- Aurangabad.
11. Santosh Kumar Singh Son of Raj Mohan Singh Resident of Village- Kolth  
Manjhauli, P.S.- Mali, District- Aurangabad.
12. Raushan Kumar Singh Son of Raj Mohan Singh Resident of Village- Kolth  
Manjhauli, P.S.- Mali, District- Aurangabad.
13. Ravi Kumar Singh S/o Late Prasad Singh Resident of Village- Kolth  
Manjhauli, P.S.- Mali, District- Aurangabad.
14. Ashok Kumar S/o Surydev Yadav Resident of Village- Lahiya, P.S.- Mali,  
District- Aurangabad

... .. Respondent/s

**Appearance :**

|                      |   |                                  |
|----------------------|---|----------------------------------|
| For the Petitioner/s | : | Mr. Udit Narain Singh, Advocate. |
| For the State        | : | Mr. Sheo Shankar Prasad, SC-8    |

**CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR**  
**ORAL ORDER**

3      31-01-2026

Present writ petition has been filed for writ order or



direction to the respondent Police authority to apprehend the respondent Nos. 6-14 who are accused in Mali P.S. Case No. 59 of 2019 and they are terrorizing and threatening the petitioner, his family members and other witnesses of the case.

2. However, it goes without saying that as per the alleged facts and circumstances, it is the Police and the concerned Judicial Magistrate who are competent to decide what to do with the accused where FIR has been lodged. It should not be proper for the writ court to interfere in the jurisdiction of the Police and learned Judicial Magistrate regarding arrest of the accused in the Police case lodged as above.

3. The petitioner can move an application before learned Judicial Magistrate with appropriate prayer and if such application is moved by the petitioner before learned Judicial Magistrate, he may take steps as per law.

4. Accordingly, the present petition stands disposed of.

**(Jitendra Kumar, J)**

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