

(2007) 12 PAT CK 0016

In the Patna High Court

Case No : Criminal WJC No. 1064 of 2007

Ran Vijay Kumar @ Ran Vijay Singh

APPELLANT

Vs

The State of Bihar and Others

RESPONDENT

Date of Decision : 06-12-2007

Acts Referred:

Citation : (2008) 1 PLJR 137

Hon'ble Judges : Madhavendra Saran, J

Bench : Single Bench

Final Decision : Allowed

Judgement

Madhavendra Saran, J.—Through this writ petition, prayer has been made to direct the respondents authorities to produce petitioner Ran Vijay Kumar @ Ran Vijay Singh, who is an elected member of Bihar Legislative Assembly from Goh Constituency within Aurangabad district to attend the Winter Sessions of the Bihar Legislative Assembly which is scheduled to start from 7.12.2007 and shall continue on 10, 11, 12, 13 and 14 December, 2007. Heard learned counsel for the petitioner and also Mr. Arvind Ujjwal, learned S.C.11 appearing on behalf of the State.

2. Counsel for the petitioner submitted that the petitioner at present is lodged in Adarsh Kara, Beur, Patna in connection with Goh P.S. Case. No. 8/2005. The Secretary of the Bihar Legislative Assembly has requested all the members of the House including the petitioner to participate in the Sessions of the House. The petitioner has lawful right to cast his vote during the Sessions in favour of the Acts to be brought on the Floor of the House for enactment and also on other occasion when the situation of voting would arise in the House.

3. In the facts and circumstances of the case, respondents authorities i.e. the District Magistrate, Patna, the Senior Superintendent of Police, Patna, I.G., Prison, Patna and the Superintendent of Adarsh Kara, Beur, Patna are directed to produce the petitioner Ran Vjjay Kumar @ Ran Vijay Singh under proper escort

on 7, 10, 11, 12, 13 and 14 December, 2007 at the scheduled time in the premises of Bihar Legislative Assembly for attending the Sessions of the House.

4. This writ application is accordingly, allowed and the order impugned dated 1.11.2007 passed by Judicial Magistrate, 1st Class, Aurangabad in G.R. No. 211/03/Tr. No. 2857/07 is hereby set aside. Let a copy of this order be handed over to learned S.C.11 for information and compliance.