

In The Court of Commissioner, Saran Division, Chapra
C.C.A. Appeal No. 113/2014
Shatrughan Singh
Vrs.
The State of Bihar

ORDER

The instant appeal is directed against the impugned order passed by D.M., Siwan dated 04.04.2014 whereby and whereunder the appellant was directed to ensure his presence in Town P.S. Siwan daily till 17.05.2014 at 12.00 Noon alongwith recording the route used by him to reach the P.S.

This case was taken up for hearing on 29.04.2014

The learned counsel for the appellant submitted that the appellant was although made accused in some cases viz. Bhagwanpur, P.S case No. 138/09, 20/2000, 98/94 and 18/12 under various section of IPC, but at present he has been acquitted in all the Criminal Cases and infact, there is no pending Criminal Case against him. He further submitted that the appellant is a business man having brick klin business and due to imposition of certain restrictions, the business of the appellant would be hampered. He also filed copies of acquittal order passed by the competent court.

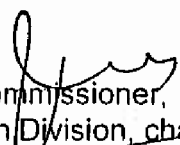
The learned counsel on behalf of the D.M., Siwan submitted that the D.M. has imposed the restrictions only to ensure the free and fair poll in the district as he was apprehending that the activities of the appellant is not conducive as transpired from the report of S.P., Siwan.

Considering the facts and circumstances of the case and on going through the impugned order, it appears that no serious restrictions were imposed on the appellant barring he has to report to a P.S. daily at a particular time. I find that the place of residence of the appellant and the police station where he had to report is not at very long distance and as the appellant does not have a business or work where his continuous presence is necessary, it seems that the appellant was not put to very hardship. The D.M. was correct to take action under the relevant provision of the Bihar Crime Control Act- 1981, to ensure peace and tranquillity in the district under his control.


Thus, for the above mentioned reasons, I don't find any illegality in the impugned order. However, as the election process has already been completed and the appellant enjoyed the benefit on the stay order granted earlier by this court, no fresh order is needed in that respect.

Thus, for the aforesaid reasons, the impugned order is upheld. Accordingly, this appeal is disposed of.

Dictated & Corrected by me.


Commissioner,
Saran Division, Chapra

29/5/14


Commissioner,
Saran Division, Chapra
29/5/14