

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.1167 of 2014

=====

Pachola Devi W/o Prabhu Pandit Resident of Village - Choitha P.S.-
Rupouli Distt- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar through Director General of Police Bihar, Patna
2. The Superintendent of Police Nawada
3. The Dy. Superintendent of Police Nawada
4. The Officer -in-charge Police Station Rupauli.
5. Rajendra Yadav son of late Shayam Lal Yadav resident of Village
Choitha, P.S. Rajoili, District Nawada

.... Respondent/s

=====

Appearance :

For the Petitioner/s :

For the Respondent/s :

=====

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

3 28-07-2015 Heard learned counsel for the petitioner and learned
G.A. 7 for the State.

The present writ application had been filed seeking a
direction to the respondents to lodge an F.I.R. on complaint made
by the petitioner dated 24.03.2011 and take necessary action and
also to ensure protection to her liberty and life.

In the counter affidavit filed on behalf of respondents
no. 2 to 4 it has been stated that on the basis of complaint of the
petitioner Rajauli P.S. Case No. 114 of 2015 dated 24.05.2015 was
registered for offence punishable under Section 387 of the Indian

Penal Code against the accused Rajendra Yadav, who is respondent no. 5 herein, and the investigation is going on. It has further been submitted that proceeding under Section 107 of the Code of Criminal Procedure, 1973 has also been initiated against the accused and further that he has been arrested on 23.07.2015. However, the Court finds that the prayer of the petitioner to ensure her protection has not been answered in the counter affidavit. The Court was inclined to draw adverse inference that the official respondents were trying to evade the allegation but learned counsel for the State submits that it was not the intention and that whatever protection the petitioner is entitled to under the Constitution and the laws with regard to safeguarding her liberty and life shall be provided by the local police as and when the same is brought to the notice either to the local police or to the Superintendent of Police, Nawada.

In view of the assurance given by learned counsel for the State in the matter of safeguarding the life and liberty of the petitioner by the concerned police, the application stands disposed off.

(Ahsanuddin Amanullah, J)

Anjani/-

U		T	
---	--	---	--