

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Miscellaneous Jurisdiction Case No.347 of 2014**

**In**  
**16 949 of 2012**

- =====
1. Purnendu Chandra Sinha S/o Surendra Prasad
  2. Prabhat Prasad Sinha S/o Surendra Prasad
  3. Suman Sinha S/o Surendra Prasad

All 1 to 3 are residents of Moti Jhil Muzaffarpur, P.O. and P.S.- Muzaffarpur Town, District Muzaffarpur (Bihar), through their Duly constituted power of Attorney Holder Manoj Singh Son of Sri Ram Janam Singh resident of Civil Lines Pakari Police Station Ara Nawada, Ara, District Bhojpur.

.... .... Petitioner/s

Versus

1. The State of Bihar.
  2. E.N.L. Bala Prasad, the Commissioner, Patna Division, Patna.
  3. Pankaj Kumar Pal, the District Magistrate, Bhojpur, Ara.
  4. Madhav Kumar Singh, the Sub Divisional Officer, Ara, Bhojpur.
  5. Rajeev Ranjan, the Circle Officer, Sadar Ara, Bhojpur.
  6. Satyabeer Singh, the Superintendent of Police, Ara, Bhojpur.
  7. Bikash Kumar, the Additional Superintendent of Police, Ara Bhojpur.
  8. Mahesh Kumar Singh, the Police Inspector cum Officer Incharge, Police Station Ara, Nawada, Ara.
  9. Satyendra Yadav
  10. Birendra Yadav Both Sons of Yamuna Yadav
  11. Yamuna Yadav S/o Late Ram Dayal Yadav
- All 9 To 11 are resident of Mahatma Gandhi Nagar, Kateera, Arrah, District Bhojpur (Arrah).

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Radha Mohan Pandey  
 For the Respondent/s : Mr. Nirbhay Kr. Singh

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**CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY**  
**ORAL ORDER**

12 31-07-2015

Heard learned counsel for the petitioners and learned counsel for the State.

In this case, petitioners are claiming that the order dated 2<sup>nd</sup> July 2013 passed in Cr.WJC No. 949 of 2012 has been violated. The relevant portion of the order is as follows:-

“The petitioner sought police protection in exercising his rights over the land in question and S.D.M., Ara, Bhojpur, has given due directions to its subordinates to provide due assistance. Taking into consideration the orders of different courts as mentioned in Annexure-10, the order needs its compliance in accordance with its true letter and spirit.”

Counsel for the petitioners submits that petitioners have not been provided the police protection even after the direction of this Court and as such, the respondent authority should be compelled to provide such protection.

From Annexure-E of the show cause it appears that the Circle Officer made a requisition for number of police personnel in order to comply the order of this Court.

If the police protection has not been provided to the petitioners, it is hoped that the respondent authority will provide the police personnel for his personal protection. But it is made clear that the petitioners would not in any manner, misuse the police personnel either to disturb the peace in the area or forcefully grab any property which is still under the adjudication before the Civil Court.

The police personnel will remain in service of the petitioners on the payment made by them, at the same time, the competent authority will be liberty to review from time to time the necessity to provide police protection to the petitioners. If the competent authority comes to a finding that there is no threat perception to their life, he will have liberty to withdraw the same.

With the above observation/direction, this petition is disposed of.

**(Shivaji Pandey, J)**

Mahesh/-

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