

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.851 of 2014

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1. Krishna Nayak W/o Late Satya Narayan nayak resident of village AND
Post Office- Chak Sikandar, Police Station- Bidupur, District- Vaishali
.... Petitioner

Versus

1. The State of Bihar Through Its Chief Secretary, Government of Bihar,
Patna
2. The Principal Secretary, Department of Home, Bihar, Patna
3. The Director General cum Inspector General of Police Bihar, Patna
4. The District Magistrate, Vaishali
5. The Sub-Divisional Officer, Sadar, Vaishali
6. The Superintendent of Police null Vaishali
7. The Deputy Superintendent of Police null Sadar, Vaishali
8. The Officer in Charge null Bidupur Police Station, Vaishali.
9. Tarkeshwar Sah Son of Ram Narayan Sah resident of village-
Dobarkothi, Police Station- Rajapakar, District- Vaishali
10. Sahdeo Sah Son of Ram Narayan Sah
11. Lalbabu Sah Son of Fudan Sah
12. Tuntun Sah Son of Harilal Sah
13. Ramesh Sah Son of not known to the petitioner
14. Sudhir Sah Son of Judagi Sah Respondent Nos.- 10 to 14 are resident of
village & Post Office- Chak Sikandar, Police Station- Bidupur, District-
Vaishali.
15. Ashok Roy Son of not known to the petitioner resident of village & Post
Office- Chak Sikandar, Police Station- Bidupur, District- Vaishali.
.... Respondents

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Appearance :

For the Petitioner : Mr. Navendu Kumar, Advocate
For the Respondent : Mr. Ajeet Kumar, SC XXVIII

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CORAM: HONOURABLE MR. JUSTICE GOPAL PRASAD
ORAL ORDER

7 30-06-2015 Heard the learned counsel for the
petitioner and the State.

The grievance of the petitioner is that she
has filed the first information report (Bidupur P.S.
Case No. 253 of 2014) that the wall was broken
down and some idol of Goddess Durga was placed
there and, thereafter, it is alleged that she started
construction, but, some one demolished the



construction for which she filed a case being Bidupur P.S. Case No. 253 of 2014. It has also been stated that a proceeding under Section 144 of the Criminal Procedure Code has also been initiated and it is alleged that the concrete pillar was broken down for which information given to the police. However, it has, further, been submitted that the charge sheet has been submitted in the case for breaking the pillar.

The learned counsel for the State, however, submits that with regard to the lodging of the first information report the State has filed counter affidavit that no report regarding theft of iron rod has been given.

The learned counsel for the petitioner, however, submits that the petitioner has given intimation to the Officer-in-Charge, Bidupur Police Station, Vaishali at Hajipur, and a receipt (Annexure 3) has been provided, hence, contends that the contention of the State is not proper that there is no information.

However, having regard to the fact that since the police, after investigation, has submitted charge sheet, hence, now the petitioner is directed, if she has any grievance regarding the charge sheet, then, may give a protest before the Chief Judicial Magistrate, Vaishali at Hajipur, and may place the papers regarding his intimation about the occurrence

and file papers regarding the receipt of the same for which it is alleged that action has not been taken by the police and the Chief Judicial Magistrate, on receipt of the protest, shall pass order in accordance with law, preferably within three months.

With these observations and directions, this petition is **disposed off**.

(Gopal Prasad, J)

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