

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Writ Jurisdiction Case No.573 of 2014**

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Nand Kishore Sharma, Son of Late Mahadeo Mistri, Resident of village -  
Raghopur, P.O.- Haridaspur, P.S.- Nath Nagar, District - Bhagalpur

.... .... Petitioner

Versus

1. The State of Bihar through the Secretary, Department of Law, Government of  
Bihar, Patna

2. The Director General of Police, Bihar, Patna

3. The District Magistrate, District - Bhagalpur

4. The Superintendent of Police, District - Bhagalpur

5. The Deputy Superintendent of Police, Bhagalpur

6. The Officer - in - Charge, P.S. Nath Nagar, District - Bhagalpur

.....State-Respondents

7. Ramesh Mandal, Son of Banarshi Mandal.

8. Arvind Mandal, Son of Chhedi Mandal

Both resident of village - Kashmabad, P.O.- Gangapur, P.S.-Sultanganj, District -  
Bhagalpur

.... .... Respondents

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**Appearance :**

For the Petitioner/s : Mr. Jitendra Kumar Giri, Advocate

For the Respondent/s : Ms. Seema, AC to GP-15

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**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH**

**ORAL JUDGMENT**

**Date: 06-02-2015**

In the present application filed under Articles 226 and  
227 of the Constitution of India, the prayer of the petitioner in para  
1 is as under:-



“1. That, this is the writ petition being filed before this Hon’ble High Court on behalf of the aforesaid petitioner who seeks for issuance of a writ in the nature of mandamus commanding and directing the State respondents to protect the life/liberty of the petitioner as well as his family members who are prone to any fatal attack on their lives by the Respondent No;. 7 and 8, and further more commanding and directing the State respondents to remove the blockage put up on the main entrance of the residential premises of the petitioner which has been put by the private Respondents by raising a Wall in front of the main gate of the residential premises of the petitioner.”

It would be apparent from the record that the petitioner is in habit of filing repeated writ petitions before this court on similar facts and issues. Earlier, the petitioner had preferred two writ petitions vide Cr. W.C.J. Nos. 690 of 2013 and 22876 of 2012 before this Court with more or less identical prayers which were dismissed as withdrawn after hearing of the matters on 13.12.2013 and 13.12.2012 respectively.

Several disputed questions of fact have been raised in the present application. It would further appear from the record that primarily there appears to be a land dispute between the petitioner and private respondent nos. 7 and 8. Such matters cannot be

adjudicated in writ jurisdiction.

In that view of the matter, I find no merit in the present application. Accordingly, the application is dismissed.

(Ashwani Kumar Singh, J.)

Sanjeet/-

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