

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.1239 of 2014

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Mantun Singh Son of Late Surendra Prasad Singh, resident of village- Bhim
Nagar, P.S.- Birpur, District- Supaul

.... Petitioner/s

Versus

1. The State of Bihar through the Secretary, Ministry of Home Affairs,
Government of Bihar, Patna

2. The Deputy Inspector General of Police, Saharsa

3. The Superintendent of Police, Supaul

4. The Sub-Divisional Police Officer, Birpur, District- Supaul

5. The Officer-in-Charge, Birpur Police Station, District- Supaul

6. The O.P. Incharge, Bhim Nagar, P.S.- Birpur, District- Supaul

.... Respondent/s

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Appearance :

For the Petitioner/s :

For the Respondent/s :

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

2 31-07-2015 Heard learned counsel for the petitioner and learned
A.C. to S.C. 18 for the State.

The present application seeks direction to the
respondents to protect the life and property of the petitioner who
feels threatened from persons who are forcibly trying to evict him
from his shop.

Learned counsel for the petitioner submits that some antisocial elements, who are named in Annexure 1 to the application, in past also and recently had threatened the petitioner to leave the shop being run by him warning of dire consequences to him and his family members.

No counter affidavit has been filed on behalf of the authorities.

This Court does not approve of such conduct of the authorities in matters which are pending before the High Court as it leads to unnecessary delay in adjudication of the matter due to lack of proper instructions from the side of the official respondents.

Be that as it may, the matter stands disposed off with a direction to the respondent police to ensure that the life and property of the petitioner, is safeguarded. It is clarified that the State authorities shall be obliged to ensure protection to the property of the petitioner including the shop after being satisfied that the petitioner is in possession of the same in accordance with law having legal authority to do so and there being no other order to the contrary either by any court or competent authority.

(Ahsanuddin Amanullah, J)

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