

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2757 of 2014

In
Cr. WJC 42 of 2013

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1. Rameshwar Singh son of Late Janak Singh

2. Rameshwar Sah son of Late Ram Eqbal Sah

3. Dinesh Kumar son of Late Ram Eqbal Sah

Sl. No.1 to 3 resident of village + P.O. Koili, P.S. Bathnaha, District -
Sitamarhi

4. Bhikhari Singh son of Late Sukeshwar Singh, resident of village - Koili,
Tole - Dhumnagar, P.O. Koili, P.S. Bathnaha, District – Sitamarhi

5. Ramyash Sah son of Sri Yogeshwar Sah

6. Lakshmi Rani wife of Sri Ramyash Sah

7. Mukesh Kumar Dheeraj son of Ramyash Sah

8. Jayesh Kumar Neeraj @ Pappu son of Ramyash Sah

Sl. No. 5 to 8, resident of village-Rambhelahi, Post - Baburban, P.S.-
Parihar, District - Sitamarhi

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna

2. The Principal Secretary, Home, Old Secretariat, Govt. of Bihar, Patna

3. Sri Nawal Kishore Singh, the Superintendent of Police, Sitamarhi

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Jai Prakash Verma, Advocate

For the Respondent/s : Mr. Mr. Rajiv Kumar, A.C. to G.A.-5

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR
SINGH

ORAL ORDER

2 18-03-2015

This application has been filed for issuance of contempt
proceeding against respondent no.3, Superintendent of Police,
Sitamarhi for his willful disobedience to the order passed by this
court on 24.1.2013 in Cr.W.J.C. No.42 of 2013.



I have perused the aforesaid order dated 24.1.2013 which has been annexed as annexure-1 to this application. The said writ was filed with two prayers. The first prayer was to direct respondent nos. 1 to 10 to provide the petitioners' protection of their life and property and the second prayer of the petitioners was to quash the first information report in Bathnaha P.S. Case No.156 of 2012 dated 18.11.2012. The writ petition was dismissed with certain observations. It had been held in the order dated 24.1.2013 that the allegations made in the FIR do constitute a cognizable offence and in that view of the matter, the prayer for quashing of the FIR was not negated. So far as the prayer in respect of providing protection to the petitioners of the life and liberty was concerned, in view of the submission that a representation in this regard was pending before the Superintendent of Police, Sitamarhi, it was observed that the Superintendent of Police, Sitamarhi shall consider the same in accordance with law.

Apparently, no mandamus was issued by this Court to respondent no.3. In absence of any mandamus having been issued to respondent no.3, there is no question of any wilful disobedience or disregard to the direction given by this Court.

In that view of the matter, I do not find it to be a fit case for initiation of any contempt proceeding. Accordingly, the

application is dismissed.

Md.S./-

(Ashwani Kumar Singh, J)

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