

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.800 of 2016

Arising Out of PS.Case No. - Year- Thana - District- SIWAN

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Brij Kishor Nath Tiwari, Son of Late Surya Bhan Nath Tiwari, resident of Village +
Post Office- Chitakhal, Police Station- Guthani, District- Siwan

.... Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Department of Revenue and Land Reforms, Govt. of Bihar, Patna
2. The Principal Secretary, Department of Revenue and Land Reforms, Govt. of Bihar, Patna
3. The District Magistrate, Siwan
4. The Superintendent of Police, Siwan
5. The State House Office, Guthani, P.S. + District- Siwan
6. The Block Development Officer, Block- Guthani, District- Siwan
7. The Circle Officer, Guthani Anchal, District- Siwan

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Nakul Kumar Jamuar, Advocate.

For the Respondent/s :

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CORAM: HONOURABLE MR. JUSTICE HEMANT GUPTA

ORAL JUDGMENT

Date: 23-09-2016

Heard learned counsel for the parties.

2. The petitioner has invoked the writ jurisdiction of
this Court to seek protection of his life and property.

3. It is asserted by the petitioner that certain persons are
bent upon to harass the petitioner as a public passage has been
encroached near the house of the petitioner.

4. Petitioner is said to have made a complaint to the
Superintendent of Police, Siwan on 24th of May, 2016. Though in the
writ application there is no averment in respect of the allegations

made in the complaint but a perusal of the complaint shows that the petitioner alleges an agreement to sale dated 28th of June, 2014 and 5th of October, 2015 as forged and fabricated. He has already invoked the jurisdiction of the Civil Court.

5. Since the issue arises out of an alleged agreement, the authenticity of which is subject matter of adjudication by the Civil Court, therefore, the petitioner cannot seek any police help to protect his life and property as the issues raised between the parties are civil disputes.

6. Consequently, I do not find any merit in the present writ application. The same is dismissed.

(Hemant Gupta, J)

P.K.P.

AFR/NAFR	N.A.F.R.
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