

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

**Civil Writ Jurisdiction Case No.6781 of 2014**

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1. Balmiki Singh Son Of Late Ramswaroop Singh, Resident Of Village- Numar,  
P.S.- Barhat, District- Jamui

.... .... Petitioner/s

Versus

1. The State Of Bihar
2. The District Magistrate, Jamui
3. The Superintendent Of Police, Jamui
4. The Sub-Divisional Officer, Jamui.
5. The Dy. S.P., Jamui
6. The Circle Officer, Barhat.
7. The Block Development Officer, Barhat
8. The Officer-In-Charge, Barhat Police Station.
9. Ramanand Singh Son Arjun Singh
10. Jangali Singh Son Of Ramanand Singh
11. Guja Singh Son Of Ramanand Singh
12. Sanjay Singh @ Blu Singh Son Of Late Shyam Singh
13. Bitcha Singh Son Of Late Shyam Singh
14. Paltu Singh Son Of Late Shyam Singh
15. Mangar Singh Son Of Late Shyam Singh
16. Sanjay Singh Son Sanjay Singh @ Blu Singh All Are Residence Of Village-  
Numar, P.S.- Barhat, District- Jamui

... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Rajesh Kumar Sinha

For the Respondent/s : Mr. ANIL KUMARG.P.-23

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**CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL**

**ORAL JUDGMENT**

**Date: 08-04-2016**

Heard both sides.

On his own showing, it appears that a dispute with regard to house property of the petitioner exists between him and other persons. From Annexures-2 and 2A, it appears that on a report/application, a proceeding under Section 107 Cr.P.C. has been initiated by the respondent Sub-Divisional Magistrate vide Non-F.I.R. Case No. 221 of 2011.



The contention of the petitioner is that the respondents continued to act in a high handedness manner which has created a situation where the petitioners fear some untoward incident at their hands. It is stated that the Officer-in-charge, on making enquiry, has recommended for taking action against the private respondents under Section 116(iii) of the Cr.P.C. Counsel for the petitioner states that he shall move an appropriate application for providing safety/security of the family before the Superintendent of Police. The respondent Sub-Divisional Magistrate should consider the report and take remedial steps/measures in accordance with law.

Upon hearing both sides and after perusal of the materials on record, the writ application stands disposed of directing the Sub-Divisional Magistrate in seisin of the proceeding to consider the report of the Station House Officer and take appropriate steps and/or pass appropriate orders after affording opportunity of hearing to both parties in accordance with law. Such step should be taken or appropriate order should be passed as quickly as possible preferably within two months from the date of receipt/production of a copy of this order before the Sub-Divisional Magistrate. The petitioner is also granted liberty to approach the Superintendent of Police for providing him protection. If any such application is filed, I am sure, the said respondent shall examine the same and take appropriate steps in

accordance with law.

**(Kishore Kumar Mandal, J)**

Pankaj/-

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