

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.375 of 2016

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Ramdeo Prasad S/o Late Jhapasi Sao, Resident of Village- Manoharpur Kachhuwara, P.S.- Sampatchak, District- Patna. at present residing at Sahdeo Path, Mohalla- Patel Nagar, P.S.- Shastri Nagar, District- Patna, Pin- 800023.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Collector of Patna.
3. The Junior Superintendent of Police, Patna.
4. The Officer Incharge Gopalpur Police Station at Sampatchak, Patna.
5. The Officer Incharge Shastri Nagar Police Station at Patna.
6. The Officer Incharge Ram Krishna Nagar Police Station at Patna.
7. The Anchal Adhikari Sampatchak at Patna.
8. The Anchal Adhikari Patna Sadar at Patna.
9. Rajendra Prasad
10. Ajay Prasad
11. Amar Nath Sah
12. Ajeet Kumar Sah - All sons of Late Rama Nand Sah, All residents of Village- Manoharpur Kachhuwara, P.S.- Sampatchak, District- Patna, at present residing at Mohalla- Karbigahia, P.S.- Jakanpur, District- Patna.
13. Shyam Babu Sao S/o Late Jhapasi Sao
14. Sanni Kumar S/o Shyam Babu Sao - Both resident of Village- Manoharpur, Kachhuwara, P.S.- Sampatchak, District- Patna, at present residing at Chandmari Road, Near Shiv Mandir, P.S.- Kankarbagh, District- Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Achhaibar Singh
For the State : Mr. Manish Kumar, AC to AAG 6

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CORAM: HONOURABLE MR. JUSTICE HEMANT GUPTA
ORAL ORDER

3 23-08-2016 Heard learned counsel for the parties.

The petitioner has invoked the writ jurisdiction of this Court claiming protection for his life and property as the private respondents are forcibly making attempt to grab the ancestral property of the petitioner. The petitioner relies on a report

submitted by Sub-Divisional Officer, Patna Sadar, on 30th December, 2012 in a proceeding under Section 144, Cr.P.C., wherein there is a mention that the dispute is regarding partition of the property vide partition deed dated 26th October, 1991 and that the members of the second party are more in number. Therefore, they trouble the petitioner.

The dispute between the parties is that of ancestral land. If that is the situation, the dispute of the petitioner lies before the Civil Court and not before this Court to claim protection for life and property of the petitioner. The report was given in the year 2012 and there is no aggravating circumstance thereafter.

There is no reason to entertain the present writ petition. The writ petition is accordingly dismissed.

(Hemant Gupta, J)

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