

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.158 of 2016

=====

Satish Kumar Rai, son of Rajkishore Narain Rai, resident of Village Darba,
PS Tajpur (Halai), District Samastipur

.... Petitioner

Versus

1. The State of Bihar Through The Chief Secretary Govt. of Bihar, Patna
2. DGP, Govt. of Bihar, Patna
3. District Magistrate, Samastipur
4. Superintendent of Police, Samastipur
5. SDO, Patori, Samastipur
6. Shyam Nandan Rai son of late Rajdeo Narain Rai
7. Nilam Devi wife of Shyam Nandan Rai
8. Gaurav Kumar son of Shyam Nandan Rai
9. Saurav Kumar Rai son of Shyam Nandan Rai
10. Shailendra Prasad Drai son of Late Rajdeo Narain Rai
11. Navin Kumar Rai son of Shailendra Prasad Rai

All 6 to 11 are residents of Village Darba, PS Tajpur (Halai) District
Samastipur

.... Respondents

=====

Appearance :

For the Petitioner : Mr. Dhananjay Mishra, Advocate

For the State : Mr. Kumar Kamal Nayan, AC to SC 33

=====

CORAM: HONOURABLE MR. JUSTICE HEMANT GUPTA
ORAL ORDER

2 02-03-2016 The petitioner has invoked the jurisdiction of this Court to direct the respondent authorities to take immediate action against the private respondents and institute criminal case under appropriate Sections of the Indian Penal Code who are threatening to kill and harm the family of the petitioner.

The petitioner has made a complaint on 19th January, 2016, wherein there are vague allegations of financial, mental and physical torture and that the private respondents have constructed a *chhajja* on his land and that

the private respondents intend to forcibly occupy his land. Therefore, he has sought for legal action against the private respondents.

As per the petitioner, the private respondents are his neighbours. There may be disputes amongst neighbours but not all such disputes give rise to criminal action. The petitioner under the garb of the complaint wants to overawe the respondents.

I do not find any action is warranted against the private respondents. However, it will be open to the petitioner to avail such other remedy as may be available to him in accordance with law.

The writ application is accordingly dismissed.

(Hemant Gupta, J)

mrl

U			
---	--	--	--