

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7627 of 2016

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Ganesh Mishra Son of Late Jaganath Mishra Resident of village - Balwa More, P.O. + P.S. Lauriya, District - West Champaran

.... Petitioner/s

Versus

1. The State of Bihar
2. The Director General of Police, Bihar, Patna
3. The Deputy Inspector General of Police, Trihut Division, Muzaffarpur
4. The District Magistrate, West Champaran, Bettiah
5. The Superintendent of Police, West Champaran, Bettiah
6. The Sub - Divisional officer, Narkatiyaganj, District - West Champaran
7. The Deputy Superintendent of Police, Narkatiyaganj, District West Champaran
8. The Officer - in - Charge, Lauriya, P.S. District West Champaran
9. The Circle officer, Lauriya, District - West Champaran
10. Suresh Giri Son of Suresh Giri
11. Sitaram Giri Son of Suresh Giri
12. Bandhu Ram Son of Late Lakhan Ram
13. Nathu Das Son of Late Shiv Nandan Das
14. Chunni Sah Son of Late Sadhu Sah
15. Brahamdeo Yadav Son of Late Suryabali Yadav
16. Bagar Ram Son of Late Khur Ram All No. 10 to 16 are resident of village + P.O. Belwa More, P.S. Lauriya, District - West Champaran

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sandeep Kumar

Mr. Shivjee Singh

For the State

Mr. Amaresh Kumar Sinha, AC to G.A.9

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL JUDGMENT

Date: 12-05-2016

Heard Mr. Sandeep Kumar for the petitioner and the counsel for the State.

Parties have agreed for disposal of the matter at this stage.

The petitioner seeks a direction for providing protection to his life and property. Indisputably, a litigation appears to be pending between the petitioner and the private respondents in which an injunction order has been passed in favour of the petitioner.

The counsel for the petitioner referring to the communication

dated 18.04.2016 of the Sub-Divisional Officer, Narkatiyaganj, West Champaran submits that the authorities have also appreciated the apprehension of the petitioner of being destroyed his property as well as his threat to his life. The counsel further submits that a proceeding at the instance of the private respondents under section 144 Cr. P.C. was initiated which was subsequently dropped.

On going through the pleadings on record and after hearing both sides, it appears to the Court that the petitioner, in fact, seeks protection to his life and property which is allegedly threatened at the hands of the private respondents.

So far as the property is concerned, the petitioner has a remedy of approaching the court under the provisions of the Cr. P.C. for passing appropriate orders. In so far as providing protection to the petitioner is concerned, in my view, the petitioner should make an application in this regard before the Sr. Superintendent of Police or the District Level Security Committee for providing him the protection with or without cost. The Court presumes that if any such application is filed, the same shall receive due consideration and disposal in accordance with law at the hands of the State respondent(s)/Committee, as the case may be.

This disposes of this writ application.

(Kishore Kumar Mandal, J)

HR/-

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