

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1264 of 2015

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Sainik Jagdish Mahto @ Jagdish Prasad, son of late Bhola Mahto, resident
of village- Harpur Tola Birwan, Police Station- Majhulia, District- West
Champaran at Bettiah

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Department of Home, Govt. of Bihar, Patna.
2. The District Magistrate-cum- Collector, Bettiah, District- West Champaran at Bettiah.
3. The Additional Collector, Bettiah, District- West Champaran at Bettiah.
4. The Superintendent of Police, Bettiah, District- West Champaran at Bettiah.
5. The Sub-Divisional Officer, Bettiah Sadar, District- West Champaran at Bettiah.
6. The Circle Officer, Majhulia Block, District- West Champaran at Bettiah.
7. The S. H. O., Majhulia Police Station, District- West Champaran at Bettiah.

... Respondent 1st Set.

8. Madan Tiwari

9. Basdeo Tiwari

Both sons of Late Gopal Tiwari.

10. Sanjay Tiwari

11. Ravindra Tiwari

Both sons of Madan Tiwari

12. Surendra Tiwari son of Basdeo Tiwari

Respondent No. 8 to 12 are residents of village- Harpur Tola Bhualwa,
Police Station- Majhulia, District- West Champaran at Bettiah.

.... Respondent IInd Set.

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Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh, Advocate
For the Respondent/s : Mr. P.Sarthy, GA-II

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL JUDGEMENT
DATED : 28-03-2016

Heard learned counsel for the petitioner and learned counsel for the State.

2. The present application preferred under Articles 226 and 227 of the Constitution of India, the petitioner has sought for a direction to be issued to the respondents to provide police protection to the petitioner as he apprehends threat to his life at the hands of respondent 2nd Set.

3. At the outset, learned counsel for the State has contended that there is a District Level Security Committee (for short "Committee") in each district of the State of Bihar and in case a proper representation is made before the Committee, duty is cast upon it to assess the threat perception and pass an appropriate order.

4. A person, in a given case, may be entitled to police protection having regard to threat perception to his life and liberty but the assessment of threat perception has to be made by the respondent authorities.

5. Taking into consideration the submissions made at the Bar by the learned counsel for the State, the application is disposed of with a direction to the petitioner to file an appropriate representation before the Committee of West Champaran, Bettiah within ten days from today and in case such

a representation is filed within the stipulated period, the said Committee is directed to pass a reasoned order in accordance with law within reasonable period of time.

(Ashwani Kumar Singh, J.)

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