

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.80 of 2016

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Jyoti Devi, Wife of Ravi Shankar Singh, Resident of Murcha Road, P.S. Chauk, Dist- Patna. at residing in the rented house of Bishnath Gope at Malsalami, P.S. Malsalami, Dist- Patna.

.... Petitioner/s

Versus

1. The State of Bihar, Old Secretariat Building, Patna represented through its Chief Secretary. null null
2. Senior Superintendent of Police, Patna, Police Line, Gandhi Maidan, Patna
3. Officer-in-Charge Chouk Police Station, Patna (Patna City)
4. Sri Upendra Narain Sah, A.S.I., Chouk Police Station, Patna (Patna City)
5. Sri Chandeshwar Gowlat, A.S.I., Chouk P.S. (Patna City)
6. Sushil Kumar Sinha S/o Vijoy Krishna Sinha
7. Saurabh Kumar @ Babli, S/o Sri Sushil Kumar Sinha
8. Arbind Kumar S/o not known C/o Sushil Kumar Sinha, 6,7,8 are resident of Murcha Road, P.S. Chouk, Dist- Patna
9. Santosh Kumar, S/o Rameshwar Pd. Srivastava, resident of Kaima Sikka, Kila Road, P.S. Chauk, Dist Patna
10. Chandra Deo Chaudhary, S/o Firangi Chaudhary, resident of Pirdamariya, P.S. Malsalami, Dist Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Tilak Sao and
Mr. Ram Swarup Prasad, Advocates

For the State Respondents : Mr. Sushil Kumar Singh, A.C. to AAG X
For the Respondent no. 9 : Mr. Raj Shekhar and
Mr. Manoj Kumar Gupta, Advocates.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 10-01-2017

Heard learned counsel for the parties.

2. The writ application has been filed seeking the
following reliefs :

“(i) For the issuance of the proper direction
to the police authority i.e. respondent and 2, 3,4,5 for
the proper investigation of the Chauk P.S. Case No.
165/15 dated 02.08.2015, registered u/s 147, 148, 149,
448, 341, 323, 354, 379 I.P.C. filed by the petitioner as



contained under annexure no. 1 to it and for the arrest of the accused persons of this case i.e. Respondent No. 6 to 10.

(ii) For the proper investigation of Chouk P.S. Case No. 149/2015 dated 15.07.2015 registered U/S 341, 323, 379, 427/34 I.P.C. and 3(1)(x) of the S.C./S.T. Act as contained under annexure no. II to this petition falsely filed by Chandra Deo Chaudhary (Respondent No. 10), Chauk P.S. Case No. 177/2015 dated 08.08.2015 registered U/S 341, 342, 384, 385/34 I.P.C. as contained under annexure no. III, filed by Sunil Kumar Karn (Respondent no. 6) and Chauk P.S. Case No. 178/2015, registered U/S 420, 499, 500, 120(B) I.P.C. as contained in annexure no. IV all pending in the court of Sri Sushant Ranjan, J. M. Patna City filed by Dr. Saurab Kumar (Respondent no. 7) all filed against the petitioner and her family members falsely out of animosity with oblique motive due to the execution of the deed of will dated 10.10.2012 executed by one Raj Kumar Sinha in the favour of the Joint name of husband and brother of the petitioner.

(iii) For the restoration of the house and singar shop of the petitioners bearing M.S. Plot No. 1820/1825/1821 (Part), Holding No. 193/187 (Part), Sheet No. 258, Circle No. 188, Ward No. 28/34/53/67 consisting Area 15 dhurs equal to 1026.35 Sq. Ft. situated at Murcha Road, P.S. Chauk, District Patna to the petitioner and for the grant of damage quantified to be Rs.3,00,000/- due to the demolition of 3 rooms attached bathroom, latrine, kitchen constructed by the petitioner on the parti land of the same premises by the Respondent no. 7 as well as for the removal of the wall illegally constructed by the Respondent no. 7 blocking the passage of the shop of the petitioner against the Respondent no. 6 to 10.

(iv) For the protection of life and property of the petitioner and her family members.

(v) For the grant of other relief/reliefs to which the petitioner is found entitled to. “



3. Having regard to the reliefs which the petitioner claims, as far as reliefs no. (i), (ii) and (iv) are concerned, the same relate to proper investigation in criminal cases and protection, for which the petitioner may approach the appropriate forum in accordance with law.

4. As far as relief no. (iii) is concerned, the same can be adjudicated appropriately by a civil court of competent jurisdiction.

5. In view of the aforesaid, the writ application stands disposed off with liberty to the petitioner to file appropriate application(s) before the appropriate forum(s) in accordance with law for redressal of her grievances as raised in the present writ application.

(Ahsanuddin Amanullah, J)

Amin/-

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