

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.543 of 2017

Arising Out of P.S. Case No. -55 Year- 2013Thana -Ariari District- SHEIKHPURA

Arising Out of P.S. Case No. -18 Year- 2017Thana -Ariari District- SHEIKHPURA

Arising Out of P.S. Case No. -59 Year- 2017Thana -Ariari District- SHEIKHPURA

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Krishna Kumari, daughter of late Bhubneshwar Singh, R/o Village – Kemra, P.O.
Diha, P.S. Ariari, P.O. – Diha, District Sheikhpura

.... Petitioner/s

Versus

1. The State of Bihar through the Director General of Police, Bihar, Patna
2. The Superintendent of Police, Sheikhpura,
3. The S.D.P.O., Sheikhpura,
4. The Officer in Charge of Ariari Police Station, District Sheikhpura,
5. Sri Gayan Ranjan, son of not known, the then Officer in charge of Ariari Police Station, District Sheikhpura,
6. Yadunandan Choudhary, son of not known, the then Officer in charge of Ariari Police Station, District Sheikhpura,
7. Pinku Kumar, son of late Battan Singh, the present Mukhia of Ekrama Panchayat,
8. Rajesh Kumar @ Bhukhmari, son of late Battan Singh,
9. Ram Sagar Prasad Singh, son of late Prasiddha Narayan Singh,
10. Arvind Kumar, son of Ram Sagar Prasad Singh,
11. Ram Pravesh Kumar, son of Ram Sagar Prasad Singh,
12. Bholu Kumar, son of Arvind Kumar,
13. Golu Kumar @ Paramjit Kumar, son of Arvind Kumar,
14. Arjun Singh, son of Indradeo Singh,

Serial No. 7 to 14 are residing at Village – Kemara, P.S. Ariari, District Sheikhpura.

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. V.R.P. Singh and
Mr. Chandra Moleshwar, Advocates.

For the Respondent/s : Mr. Partha Sarthy, G.A. 4 and
Mr. Apurva Kumar, AC to GA 4.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

Date: 09-01-2018



Heard learned counsel for the petitioner as well as learned counsel for the State.

2. The petitioner has moved this Court seeking protection of her life along with her ill brother and old aged widow mother. According to the petitioner, she has lodged one Ariari P.S. Case No. 55/2013 dated 03.05.2015, then Ariari P.S. Case No. 18/2017 dated 14.02.2017 and again Ariari P.S. Case No. 59/2017 dated 12.03.2017 against the accused persons, who are bent upon harassing her, her brother and old aged widow mother.

3. Learned counsel for the petitioner submits that the dispute has arisen because father of this petitioner had solemnized second marriage on 13.03.1976 with the petitioner's mother, who hails from the State of Andhra Pradesh. It is also submitted that after death of her father, the eight named accused persons are harassing her for which the aforesaid FIR have been lodged. In one of the cases, Charge Sheet bearing no. 86/2013 was submitted on 03.06.2013 but, according to the petitioner, the police officials in collusion with the accused persons submitted a final form as contained in Annexure-1. The final form submitted by the police has also been accepted in respect of some of the accused while some of them have been charge-sheeted and are facing trial. Learned counsel prays for a direction to the police authorities to provide her adequate protection.



4. On the other hand, learned counsel representing the State has filed a counter affidavit in which it is submitted that in connection with Ariari P.S. Case No. 55/2013 as well as Ariari P.S. Case No. 18/2017 police has already submitted a charge sheet against the accused persons which will be evident from Annexure – ‘A’ & ‘B’ to the counter affidavit respectively. As regards Ariari P.S. Case No. 59/2017, the matter is still under investigation. He has further submitted that the answering respondents have been attending to the complaints made by the petitioner and are giving adequate protection to the petitioner but the petitioner desires to put the accused persons behind the bar whereas, in the nature of the allegations, the police has been conducting investigation and has taken appropriate steps to submit charge sheet as well. It is also stated that the accused persons are close agnates of the petitioner.

5. In the facts and circumstances stated here-in-above, this Court finds that out of the three police cases, in two charge sheets have already been submitted by the police and the third case is under investigation. The counter affidavit states that the respondents are providing protection to the petitioner and her mother, therefore, this application is being disposed of with a direction to the police authorities, who are dealing with the cases and investigating the same, to act perfectly in accordance with law, since it is their duty to



provide adequate protection to the life and property of the petitioner, her brother and her mother, they should monitor the situation and in case of any threat perception to the petitioner, her brother and her widow mother, adequate care be taken to safeguard them.

6. The application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

Dilip, AR

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	09.01.2018
Transmission Date	09.01.2018

