

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.2899 of 2017

Arising Out of PS.Case No. -225 Year- 2017 Thana -BHAGWANPUR District- BEGUSARAI

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1. Upendra Choudhary

2. Umesh Choudhar,

Both sons of Jitendra Choudhary, resident of village-Rasalpur, P.S.-Bhagwanpura,
District-Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

2. The Collector, Begusarai.

3. The Superintendent of Police, Begusarai.

4. Sunil Choudhary

5. Ganesh Choudhary

6. Mahesh Choudhary

All sons of Srinivas Choudhary

7. Ajay Choudhary

8. Vijay Choudhary

9. Sonu Choudhary

All sons of Rajendra Choudhary

10. Surendra Choudhary, son of Dinesh Choudhary

11. Sushil Choudhary

12. Kaushal Choudhary

Both sons of Surendra Choudhary

13. Ramanuj Choudhary, son of Lakshmi Narayan Choudhary

14. Prem Shankar Choudhary

All residents of village-Rasalpur, P.S.-Bhagwanpura, District-Begusarai.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mrs.Soni Shrivastava, Adv.

For the Respondent/s : Mr. Manish Kumar, GP-4

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

Date: 28-03-2018



Heard learned counsel for the petitioners and learned counsel representing the State.

By filing A supplementary affidavit, petitioner has brought to the notice of this Court that an FIR has already been lodged in the matter giving rise to Bhagwanpur P.S. Case No.225/17 under various Sections of the Indian Penal Code. It is stated that a proceeding under Section 107 Cr.P.C. is also going on between the parties.

By filing I.A. No.642 of 2018, a prayer has been made to allow the petitioner to delete the relief prayed in the writ application and to substitute the relief by providing a prayer to direct the official respondents to provide security to the petitioners, who are senior citizens, under the Maintenance and Welfare of Parents and Senior Citizen Act, 2007.

Learned counsel representing the petitioners submits that these petitioners are senior citizens and despite having succeeded in the civil proceedings are being restrained by the private respondents from cultivating their land which they rightfully owned.

Without going into the merits of the submissions made on behalf of the petitioners, in view of the fact that the FIR has already been lodged, this writ application is being disposed of giving a direction to the respondent no.3, the S.P., Begusarai, to assess the



threat perception of the petitioners and in case it is found that these petitioners, who are said to be senior citizens, have got any threat to their life and liberty, the respondent no.3 shall be under obligation to protect their life and liberty maintaining the Constitutional mandate.

(Rajeev Ranjan Prasad, J)

Arvind/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	29.03.2018
Transmission Date	29.03.2018

