

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.957 of 2016

Arising Out of PS. Case No.-89 Year-2015 Thana- PANDARAK District- Patna

Manju Devi Wife of Late Birendra Kumar Singh Resident of Village -Mamarkhabad English (Gopkita), P.S+Block- Pandarak, Sub-Division-Badh, Distt- Patna (Bihar).
... .. Petitioner

Versus

1. The State of Bihar
2. The Director General of Police, Bihar, Patna.
3. The Inspector General of Police, Patna Range, Patna.
4. The Deputy Inspector General of Police, Patna.
5. The District Magistrate, Patna.
6. The deputy Collector of Land Reformer , Badh, Patna.
7. The Senior Superintendent of Police, Patna
8. The Deputy Superintendent of Police, Badh, Patna.
9. The Sub-Divisional Officer, Badh, Patna.
10. The Circle Officer, Badh, Patna.
11. The Officer Incharge, Pandarak, P.S- Badh, Patna.
12. Shravan Rai Son of late Anandi Rai resident of Village - Mekara Bujurg Total Dakashtan, P.S- Mokara, Distt- Patna.
13. Budhsen Rai D/o S/o Late Anandi Rai R/o Vill- Mekara Bujrug Totla Dakshatan, P.S- Mokara, Distt- Patna.
14. Jai Narayan Rai S/o Late Anandi Rai R/o Vill- Mekara Bujrug Totla Dakshatan, P.S- Mokara, Distt- Patna.
15. Ganesh Rai Son of late Anandi Rai R/o Vill- Mekara Bujrug Totla Dakshatan, P.S- Mokara, Distt- Patna.
16. Parmeshwar Rai Son of Late Jhari Rai R/o Vill- Mekara Bujrug Totla Dakshatan, P.S- Mokara, Distt- Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Kumar
For the Respondent/s : Mr. Sc1-Md. Nashrul Hoda Khan

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 16-08-2018 The petitioner has moved this Court seeking a direction to the respondent authorities to provide security to the petitioner from respondent no. 12 to 16 who according to the petitioner are creating law and order issues and problems for the petitioner whenever she goes to cultivate the land which belongs to her.



Learned counsel for the petitioner has drawn the attention of this Court towards the order of the Deputy Collector Land Reforms, Barh in Misc. Case no. 16/13-14 as also the order dated 16.01.2014 passed in Misc. Case no. 15/13-14, whereunder the claim of the private respondents in respect of the land claimed by the petitioner were rejected and the petitioner was given liberty to bring an appropriate case before a competent court of law in respect of the land in question. Learned counsel submits that there is a finding of the Deputy Collector Land Reforms, Barh that the petitioner of Miscellaneous Case had been trying to obtain the relief by filing wrong and false affidavits suppressing the material facts.

Learned counsel for the State is present.

Considering the nature of allegations and the reliefs prayed by the petitioner, at this stage, in the nature of order proposed to be passed by this Court, no notice is required to be issued to the private respondents.

In view of the prima facie materials available on the record i.e. Annexures 1 and 2, let the petitioner bring this matter to the notice of the Senior Superintendent of Police, Patna who will examine the request of the petitioner in the light of the materials which will be placed before him and in case it is found



that the petitioner has been able to make out a prima facie case of threat through the private respondents in the matter of cultivation of the agricultural land, the Senior Superintendent of Police, Patna shall institute an appropriate proceeding or direct for institution of an appropriate proceeding wherein after giving opportunity to both the parties appropriate order may be passed to bind one of the parties who may be at fault to submit a bond before the Court or the authority concerned to maintain peace and not to indulge in unlawful behaviour.

The Senior Superintendent of Police, Patna shall take such measures which are permissible in this regard under the Code of Criminal Procedure itself within a period of 30 days from the date of receipt/production of a copy of this order.

This application stands disposed of.

(Rajeev Ranjan Prasad, J)

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