

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.2856 of 2017

Arising Out of PS.Case No. -null Year- null Thana -null District- SAMASTIPUR

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Santosh Kumar, aged about 32 years, Son of Late Satya Narayan Sah, Resident of Mohalla- Gudari Bazar, Ward No.20, Police Station- Samastipur Town/Nagar, Town and District- Samastipur, PIN CODE- 848101, State- Bihar, Mobile Phone No.- 8002546762

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Chief Secretary, Government of Bihar, Patna.
3. The Principal Secretary, Home Department, Government of Bihar, Patna.
4. Director General of Police, Bihar, Patna.
5. District Collector-cum-District Magistrate, Samastipur.
6. Superintendent of Police, Samastipur.
7. Sub-Divisional Police Officer, Sadar, Samastipur.
8. Station House Officer (S.H.O.), Samastipur Town Police Station, District- Samastipur.
9. Investigating Officer of Samastipur Town/Nagar P.S. Case No. 169/2017, G.R. No. 1946/2017, Samastipur Town/Nagar Police Station, Town and District- Samastipur.
10. Md. Khurram, aged about 35 years,
11. Md. Khushnoor, aged about 34 years,
12. Md. Asif, aged about 30 years, All sons of Late Md. Usuf, All residents of Mohalla- Marwari Bazar, Police Station Samastipur Town/Nagar, Town and District- Samastipur, PIN CODE- 848101, State- Bihar.
13. Vijay Kumar Gupta, aged about 45 years, Son of Late Vishwanath Sah, Resident of Mohalla- Gudari Bazar, Ganesh Chowk, Ward No.20, Police Station- Samastipur, Town/Nagar, Town and District- Samastipur, PIN CODE- 848101, State- Bihar.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shyam Kishore Sinha, Advocate

For the Respondents State: Mr. Md. Irshad, AC to SC-1

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL JUDGMENT

Date: 03-07-2018

It appears from the statements made in paragraph-14 of the counter affidavit filed on behalf of the respondents 1 to 4 and 6 to



9, who are the official respondents and police authorities that after investigation in connection with the case lodged by this petitioner, a charge sheet has already been submitted in the court below. The allegations against all the accused persons have been found true.

In this view of the matter, so far as the grievance with regard to investigation is concerned, the petitioner does not press his prayer any more. Learned counsel further submits that this petitioner is under constant threat of his life in the hand of the accused persons, therefore, he has filed a representation before the concerned authorities vide Annexure-4 to the writ application with a request to provide adequate security to safeguard his life and property. Submission is that the request made by him to the police authorities and the District Magistrate, Samastipur have not been considered so far.

Learned counsel for the State is present.

Considering the nature of the grievance and the submissions based on Annexure-4 to the writ application, this Court would direct the District Magistrate, Samastipur to look into the request of the petitioner and in case, he is satisfied that the petitioner is required to get security because of threat to his life, he may either himself pass necessary order providing him security or shall refer the



matter to the competent authority/body to consider his application and take appropriate decision in accordance with law. The entire exercise must be completed within a period of four months from the date of receipt/production of a copy of this order.

The writ application stands disposed of with the aforesaid observations and directions.

(Rajeev Ranjan Prasad, J)

N.H./-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	06-07-2018
Transmission Date	06-07-2018

