

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1268 of 2016

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Malti Devi wife of Ashok Kumar Singh and daughter of Shyam Kishore Singh, resident of Village- Rauna, P.S. Belaganj, District- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Director General of Police, Bihar, Patna.
3. The Inspector General of Police, Patna Zone, Patna.
4. The Deputy Inspector General of Police, Magadh Range, Gaya.
5. The District Magistrate, Gaya.
6. The Sr. Superintendent of Police, Gaya.
7. The Dy. Superintendent of Police, Gaya.
8. The Station House Office, Belaganj, P.S., District- Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar
For the Respondent/s : Mr. P.N. Shahi- AAG 10

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL JUDGMENT

Date : 12-10-2018

Heard Mr. Arvind Kumar, learned counsel for the petitioner and Mr. Manish Kumar learned AC to AAG-6 for the Respondent-State.

The present writ application has been filed for a direction to the respondent authorities not to allow any person to dispossess the petitioner from his property and to provide the security to the life and property of the petitioner.

Learned counsel for the petitioner submits that the petitioner is the sole heir of her deceased parents. The deceased parents of the petitioner had a house over the land, appertaining to Survey Plot No. 3292, Khata No. 553, situated at Mauza Ekri Tola,



Birbal Bigha P.S. Belaganj, District Gaya, but the co-villagers are threatening to dispossess the petitioner from the land in question. The petitioner, apprehending threat to his life and property, submitted an application before the Director General of Police, Bihar on 11.12.2015, as contained in Annexure-1, copy of which has been transmitted to the I.G., Patna, D.I.G., Magadh Range, Gaya, Sr. S.P., Gaya, Dy.S.P., Gaya, In-Charge, Belaganj Police Station and the District Magistrate, Gaya, but till date, only a Chaukidar has been deputed at the house of the petitioner. Hence, the present writ application has been filed.

A counter affidavit has been filed on behalf of Respondent No.6, the Sr. Superintendent of Police, Gaya to the effect that in pursuance to the representation submitted by the petitioner, the police has taken proper steps for providing safety and protection to the life and property of the petitioner and consequently, a Chaukidar has been deputed at the house of the petitioner. It has been admitted that the petitioner is having some dispute with the persons whose land is adjacent to the land in question.

Considering the rival submission of the parties, no doubt the State has the duty to provide security and safety to the citizens of State, but it is difficult to provide armed security personnel to



every citizens, however, when the threat perception is to the extent of threat to life of a citizen, he/she may also be provided security. From perusal of the counter affidavit, it appears that a Chaukidar has been deputed at the house of the petitioner. However, if the petitioner feels not satisfied with the same, she may submit a fresh representation before the District Magistrate and Sr. Superintendent of Police, Gaya within a period of three weeks from the date of receipt/production of a copy of this order, whereupon the concerned authorities will look into the matter and take needful action, after disposing of the representation of the petitioner, within a period of four weeks from its submission.

Accordingly, with the above observation and direction, the present writ application is disposed of.

(Dinesh Kumar Singh, J)

Amrendra/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

