

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.596 of 2017

Arising Out of PS. Case No.- Year- Thana- District- Darbhanga

=====

Santoshanand Jha S/o Late Shardanand Jha resident of Mohalla Chuna
Bhatthi, P.S. L.N.M. University Campus, Darbhanga, District Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Home Secretary, Govt. of Bihar, Patna.
3. The Principal Secretary Revenue & Land Reforms Dept. Govt. of Bihar,
Patna.
4. The Director General of Police, Bihar, Patna.
5. The Zonal I.G. Darbhanga Zone, Darbhanga at Laheriasarai.
6. The Divisional Commissioner, Darbhanga.
7. The D.I.G. Darbhanga.
8. The D.M. Darbhanga.
9. The Senior Superintendent of Police, Darbhanga.
10. The Anchal Adhikari, Sadar Anchal Darbhanga.
11. The Officer In Charge, L.N.M.U. Campus Police Station, Darbhanga.
12. Surya Narayan Yadav son of Maharaj Yadav resident of Mohalla Chuna
Bhatthi, P.S. LNMU Campus, Darbhanga.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Anil Kumar Roy
For the Respondent/s : Mr. Partha Sarthi, G A 4

=====

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 01-10-2018 This writ application has been preferred for a

direction commanding the respondent authorities to provide

protection to the right and property of the petitioner. It is alleged

that the petitioner is being threatened by respondent no.12 and

his henchman who are forcibly capturing the land of the

petitioner in Mauza Gangabara within Darbhanga Sadar Anchal,

Revenue Thana no. 510, bearing Khata no.27, Khesra no. 154

(Part) measuring 1 katha. The petitioner claims that he has



purchased this land by registered sale deed dated 25.03.2008.

On perusal of the writ application as well as the document available on the record by way of counter affidavit etc. it appears that on the F.I.R. lodged by the petitioner police has got the case investigated and has charge sheeted the accused persons. The accused persons have been granted bail in the said case. The dispute between the parties has taken place over a piece of land. This Court sitting in writ jurisdiction cannot go into the question of right, title and interest of the parties over the land and, therefore, no definite conclusion may be reached as to the nature of the right held by the petitioner or the private respondents in the land in question.

It however appears from allegation that police has found the case against respondent no.12 true and has submitted the charge sheet. The grievance of the petitioner is that respondent no.12 is repeatedly harassing the petitioner and the continued harassment to the petitioner in the hands of respondent no. 12 has made it difficult for him to live a peaceful life.

In the given facts and circumstances, the only direction which can be given at this stage is that in case the petitioner approaches the Senior Superintendent of Police,



Darbhanga complaining any unlawful act by respondent no.12, the Sr.S.P., Darbhanga should look into the representation of the petitioner and shall cause an enquiry to be held as to the genuineness of the allegation and in case it is found that the petitioner is getting harassed by unlawful means by any person, appropriate measure shall be taken by the Sr.S.P., Darbhanga to provide safety and security to the petitioner.

This application stands disposed of with the aforesaid observations.

(Rajeev Ranjan Prasad, J)

mrl./-

U		T	
---	--	---	--

