

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.974 of 2017

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

=====

Sukul Rai son of Ram Dut Rai, resident of Mohalla- Dighaghat, Harijan Toli, P.S. Digha, District- Patna.

.... Petitioner/s

Versus

1. The Sate of Bihar through the Director General of Police, Bihar, Patna.
2. The Senior Superintendent of Police, Patna.
3. The Deputy Superintendent of Police, Danapur, Patna.
4. The Officer Incharge, Digha Police Station, Patna.
5. The S.D.O. Sadar, Patna.
6. Anil Kumar, son of Sri Sheo Kumar.
7. Deobrat Kumar, son of Late Ganesh Ram.
8. Sikandar Prasad, son of Late Chhotelal Ram.
9. Sangaram Kumar, son of Ramautar Ram.
10. Ajay Kumar, son of Late Sabhapati Ram. No. 6 to 10 are resident of Village- Dighaghat, Harijan Toli, P.S. Digha, District- Patna.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Keshav Srivastava, Senior Advocate
Mr. Bhubneshwar Prasad, Advocate
For the Respondents 6 to 10 : Mr. Rakesh Narayan Singh, Advocate
For the State : Mr. Ajay Kumar Sharma, AC to A.G.

=====

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL JUDGMENT

Date: 03-07-2018

Heard learned senior counsel representing the petitioner and learned counsel representing the State as also the private respondents.

Petitioner is seeking a mandamus to the State respondents to provide security and protection to his life and property. It is the case of the petitioner that he had taken settlement of a piece of



land from one Smt. Fazal Nisa and Dhaneshwar Singh in the year 1946, which has been duly shown in the return filed by the petitioner but the respondents are claiming that the land in question is a common passage leading to the house of the respondents.

The grievance of the petitioner is that he is under threat of dire consequences at the hand of private respondents and unless proper security and protection is provided by the State his life may be in danger.

Learned counsel representing the private respondents have contested the submission of learned senior counsel and submits that in fact a case of land dispute is there between the parties and in the garb of seeking security and protection the petitioner is in fact looking for making construction over the piece of land which is in dispute.

Considering the facts and circumstances of the case, this Court is of the considered opinion that in case the petitioner finds any threat to his life and needs protection from the State, an appropriate application be filed by the District Magistrate, Patna seeking such protection giving reasons thereof and on filing of such application, the District Magistrate, Patna shall refer the same to the competent body/Committee constituted for purpose of looking into



the need of security of a citizen, Committee shall assess the threat perception of the petitioner as to whether he really suffers from threat and thereupon the concerned authority shall pass an appropriate reasoned order within a period of three months from the date of receipt of the application.

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

(Rajeev Ranjan Prasad, J)

N.H./-

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

