

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.598 of 2016

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Ghanshyam Narayan Singh, s/o Late Ran Vijay Bahadur Singh, Resident of
Village: Akhalashpur, P.O.- Akhalashpur, P.S.- Bhabhua, Dist- Kaimur
(Bhabhua).

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Collector Kaimur at Bhabhua.
3. The Superintendent of Police (S.P.) Kaimur at Bhabhua.
4. The Officer incharge Bhabhua Police Station.
5. The Officer in charge Sonhan Police Station.
6. The Sub- Division Officer (S.D.O.) Bhabhua.
7. The Anchal Adhikari Bhabhua, Kaimur.
8. Faguni Ram s/o Late Roop Chand Ram
9. Dadan Ram s/o Late Ram Deo Ram.
10. Kamata Ram s/o Late Bangali Ram.
11. Rama Shankar Ram s/o Late Ram Krit Ram.
12. Bihari Paswan son of Nawarangi Paswan.
13. Raj Kumar Ram
14. Kanhaiya Ram
- Both sons of Late Nathuni Ram,
- All resident of village- Mahuwari, Police Station- Sonhan, Dist- Kaimur
(Bhabhua).
15. Komal Dhobi s/o Late Subedar Dhobi.
16. Mahabir Pasi s/o Late Ghurhu Pasi.
17. Jaddu Dhobi s/o Late Laljee Dhobi.
18. Ram Nareshi Bind S/o- Late Parsuram Bind
19. Nanhku Dhobi son of late Puran Mashi Dhobi.
20. Sheo Muni Chamar s/o Late Sahdeo Chamar.
21. Ekadashi Pasi s/o Late Sheo Chand Pasi.
22. Bishwanath Dhobi s/o late Prakash Dhobi.
23. Bechan Pasi s/o late Ekadashi Pasi.
24. Sanjay Dhobi s/o late Bishwanath Dhobi.
25. Bikrama Pasi.
26. Nagina Pasi
27. Butan Pasi
- All sons of late Laljee Pasi
28. Baleshwar Chamar s/o late Budhan Chamar.
29. Kashi Chamar s/o Baleshwar Chamar.
30. Ram Raj Ram.
31. Ram Nath Ram
- Both sons of late Govind Ram
- All resident of village- Karma, P.S.- Sonhan, Dist.- Kaimur (Bhabhua)

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Achhaibar Singh
For the Respondent/s : Mr. Roy Shivaji Nath



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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN
PRASAD**
ORAL ORDER

8 26-02-2018 This matter has been listed under the heading ‘For Orders (On Office Notes)’.

Learned counsel for the petitioner and learned counsel representing all the private respondents except private respondent nos.12 and 16, who are said to have died, are present. Learned counsel for the State is also present.

The parties agree that in the nature of the reliefs prayed in the writ application and the order which this Court proposes to pass the writ application itself may be disposed of at this stage.

It appears from perusal of the writ application that the petitioner is seeking a direction to the government respondents to protect the life and property of the petitioner and also for providing police protection in agriculture work as according to him the private respondents are criminal type people having good relation with anti-social elements of the society and they may grab the ancestral property of the petitioner at any time.

Learned counsel for the petitioner submits that this petitioner had been fighting for certain land disputes with the State Government in respect of the ceiling proceeding and at one stage



the private respondents had also intervened in the matter in the writ proceeding. However, learned counsel further submits that so far as the interveners, who are now private respondents, are concerned, they cannot claim any right in respect of the land falling in the share of the petitioner, but they are creating disturbances over the land and are creating hindrance in peaceful possession of the land in question.

On the other hand, learned counsel for the private respondents submits that this is a wholly misconceived application inasmuch as on perusal of Annexure-2, which is an order dated 22.01.2016 passed in L.P.A. No.997 of 2014 by a Division Bench of this Court, it would appear that in the Letters Patent Appeal a categorical stand was taken that pursuant to Settlement Case No.6 and 7 of 2005-06, as pending before the Circle Officer, Bhabhua, all the interveners have been given settlements of other lands, other than the writ petitioners/appellant's lands. It is thus his submission that in view of what has transpired in Annexure-2, the petitioner has no basis to contend before this Court that he has any threat from these private respondents.

Having heard learned counsel for the parties and upon perusal of the records it appears that the petitioner has certain apprehension in his mind which is reflected from very



nature of the reliefs prayed in paragraph 1 of the writ application where he has while terming the private respondents as anti-social elements expressed that they may grab the ancestral property of the petitioner. In view of the submissions made on behalf of the private respondents the apprehension of the petitioner has no basis to stand. So far as his contention that he has threat to his life and property is concerned, being a Constitutional Court, this Court would only direct the respondent nos.3 and 4 to take stock of the situation particularly threat or perception which has been expressed by the petitioner in the writ application and in case it is found that he has any threat perception to his life and property, an appropriate action in accordance with law may be taken to protect his life and property.

The application is disposed of.

(Rajeev Ranjan Prasad, J)

Arvind/-

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