

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16101 of 2018

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Santosh Kumar Singh, Son of Rameshwar Singh, R/o Village Baghini, Post Harnathpur, Baghini, Post Harnathpur, Baghini, P.S. Mohania, District Kaimur (Bhabua) at present residing at 161, Patliputra Colony, P.S. Patliputra, District Patna, At present Member of Legislative Council, Rohtas cum Kaimur.

... .. Petitioner

Versus

1. The State of Bihar through Principal Secretary, Department of Home, Govt. of Bihar, Patna.
2. The Principal Secretary, Department of Home, Govt. of Bihar, Patna.
3. Director General of Police, Bihar, Patna.
4. Senior Superintendent of Police, Patna.
5. Superintendent of Police, Kaimur.
6. Special Security Committee through I.G., Security, Govt. of Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Naresh Dixit, Adv.
For the Respondent/s : Mr. Partha Sarthi, GA-4

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL JUDGMENT

Date : 25-08-2018

Heard Mr. Naresh Dixit, learned Counsel for the Petitioner and Mr. Apurva Kumar, learned AC to GA-04 for the respondent-State.

Learned counsel for the petitioner is permitted to implead the Special Security Committee through I.G. Security as Respondent No.6.

The present writ application has been filed for a direction for the respondent authorities to provide security at residential places of the petitioner situated at Patliputra, District Patna, as well as at his native village at District Kaimur.



It is submitted by the learned counsel for the petitioner that the petitioner is a Member of Legislative Council, Bihar and is presently residing at 161, Patliputra Colony, Patna-13, whereas his native village is Bhagani, P.S. Mohania, P.O. Harnathpur, District Kaimur.

It is further submitted by the learned counsel for the petitioner that the native village of the petitioner is a Naxal affected area and in the year 2008, his son was kidnapped, leading to registration of Rajiv Nagar P.S. Case No. 144 of 2008. The brother of the petitioner had also received threats from Naxal organization, leading to registration of Dobhi P.S. Case No. 264 of 2014 on 22.09.2014. The necessary intimation to that effect has been given to the authorities but in spite of that adequate security has not been provided to the petitioner.

Learned counsel for the respondent-State submits that now 'Special Security Committee' has been constituted for considering to provide security to the citizens and if the petitioner submits such application before the said Committee, the same will be considered with due earnest within a time frame.

This Court is dismayed to find that even the public representatives, like M.L.C. has to approach this Court for providing security.



In view of the stand of the learned counsel for the respondent-State, the petitioner is permitted to submit an application before the Respondent No.6, Special Security Committee as well as Respondent No.3, Director General of Police, Bihar, Patna, within a period of two weeks from the receipt/production of the copy of this order.

It is expected from the concerned authorities to consider the representation of the petitioner with due earnest keeping in view the threat perception, particularly, the incident of kidnapping of his son and decide the issue within a period of four weeks from the date of submission of the application.

With the aforesaid observation and direction, the writ application is disposed of.

(Dinesh Kumar Singh, J)

Amrendra/Deepak/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

