

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.542 of 2017

Arising Out of PS. Case No.-244 Year-2015 Thana- PIRO District- Bhojpur
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Vijay Rai S/o Late Ram Ekwai Rai, Resident of Village- Milki More, Bihian Road Piro, P.S.- Piro, District- Bhojpur, at present Village- Bishunpura, P.S.- Udwananagar, O.P. Gajrajanj, District- Bhojpur.

... .. Petitioner

Versus

1. The State of Bihar through the Director General Of Police, Bihar, Patna
2. The Director General of Police, Old Secretariat, Bihar, Patna.
3. The Deputy Inspector General of Police, Dehri-on-Sone.
4. The Superintendent of Police, Bhojpur, District- Bhojpur at Ara.
5. The Station Head Officer, Piro Police Station, Piro, District- Bhojpur at Ara.

... .. Respondents

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Appearance :

For the Petitioner : Mr. Atul Kumar Pandey, Advocate.
For the Respondents : Dr. Mankeshwar Tiwari, AC to AAG-3

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date : 22-11-2019

Heard learned counsel for the petitioner and learned counsel for the State.

2. The present writ petition has been filed for the following reliefs, as formulated by the petitioner -

“(i) For issuance of writ in the nature of mandamus directing/commanding the respondents specially the respondent no. 4 to take action in not for complying the order of the learned A.C.J.M., Ara dated 07.07.2015 by not arresting the accused persons in Piro P.S. Case No. 244/15 registered on 01.07.2015 under Sections 147, 148, 149, 323, 341, 325, 307, 427, 504, 506, 452, 380 of the Indian Penal Code.



(ii) Further for issuance of direction to respondent concerned to show cause from the respondent no. 4, why no action has been taken against the respondent no. 5 in not complying the order of the learned A.C.J.M. dated 07.07.2015 even after several applications have been filed before him by the informant for arresting the accused persons as they are compelling and giving threatening him to face the consequence of the case if the withdrawal/compromise be not made.

(iii) For any other relief/reliefs for which the petitioner is entitled to."

3. Learned counsel for the petitioner submits that though investigation is going on in Piro P.S. Case No. 244 of 2015, some of the accused persons are yet to be arrested who are threatening the life, liberty and property of the petitioner for forcing the withdrawal of the case.

4. Learned counsel for the State appears and has been heard.

5. Having regard to the nature of the grievance, this Court is of the view that if the petitioner perceives any threat to his safety or liberty, he is entitled to approach the State Security Committee for appropriate relief.

6. The writ petition is accordingly disposed of with liberty to the petitioner to approach the State Security Committee with an appropriate representation for providing them with adequate security in view of his threat perception. If any such



representation is filed within a period of two weeks from today, the same shall be considered and disposed of on its own merits in accordance with law expeditiously and in any event within a further period of two weeks thereafter.

(Vikash Jain, J)

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