

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1216 of 2019

Arising Out of PS. Case No.- Year-0 Thana- District- Gaya

MANORAMA KUMARI SINHA Wife of Suraj Prakash Resident of - Sujata
Nagar, Baiju Bigha, P.S.- Bodh Gaya, District- Gaya.

... .. Petitioner

Versus

1. The Sate of Bihar through the Principal Secretary, Home Department, Govt. Of Bihar, Patna .
2. The Director General of Police, Bihar, Patna.
3. The Commissioner, Magadh Division, Gaya.
4. The District Magistrate, Gaya.
5. The Senior Superintendent of Police, Gaya.
6. The Superintendent of Police, Gaya.
7. The Sub- Divisional Magistrate, Sadar, Gaya.
8. The Dy. Superintendent of Police, Bodh Gaya.
9. The Station House Officer, Bodh Gaya P.S., Gaya.
10. The Circle Officer, Bodh Gaya, Gaya.
11. Ramdev Yadav Son of Mahadev Yadav Resident of - Sujata Nagar, Baiju Bigha, P.S.- Bodh Gaya, District- Gaya.
12. Suresh Yadav Son of Ramdeo Yadav Resident of - Sujata Nagar, Baiju Bigha, P.S.- Bodh Gaya, District- Gaya.
13. Chinta Devi Wife of Suresh Yadav Resident of - Sujata Nagar, Baiju Bigha, P.S.- Bodh Gaya, District- Gaya.

... .. Respondents

Appearance :

For the Petitioner : Mrs.Nivedita Nirvikar, Advocate
For the Respondent-State: Mr.Manish Kumar, GP-5

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL JUDGMENT

Date : 26-08-2019

Heard Mrs. Nivedita Nirvikar, learned counsel for the
petitioner and learned counsel for the State.

2. Though the petitioner has prayed for several
reliefs, learned counsel for the petitioner submitted that she would



confine her argument to prayer nos. (i), (ii) and (iii) of para-1 of the writ petition. Those prayers read as under :-

“(i) For issuance of an order(s), direction(s) and a writ in the nature of Mandamus commanding the police authorities to take appropriate action in connection with Bodh Gaya P. S. Case No. 329/14 dated 08.10.2014 registered under Sections 448, 341, 323, 379 and 504 of the Indian Penal Code and Bodh Gaya P. S. Case No. 367/15 dated 19.01.2015 under Sections 147, 149, 448, 337, 385 and 506 of the IPC against the private respondent nos. 11 to 13.

(ii) For issuance of an order(s), direction(s) and a writ in the nature of Mandamus Commanding and directing the respondents to look into grievances stated in the application dated 17.05.2019 submitted before the S.S.SP, Gaya, Dy. S. P. Bodh Gaya and Circle Officer Bodh Gaya and registered the case against the private respondent nos. 11 to 13.

(iii) For issuance of an order(s), direction(s) and a writ in the nature of Mandamus Commanding and directing the respondent authorities to look into the application dated 3/2/19 and 15/2/19 addressed to the SHO Bodh Gaya and registered a case against the private respondent no. 11 to 13.”



3. Learned counsel appearing for the petitioner submitted that for alleged offences under various sections of the Penal Code, the petitioner has instituted two cases vide Bodh Gaya P. S. Case No. 329 of 2014 and Bodh Gaya P. S. Case No. 367 of 2015 against the respondent nos. 11 to 13. She apprehends threat to her life at the hands of respondent nos. 11 to 13 as no action is being taken against them by the police. She contended that since the petitioner is a lady, the respondent nos. 11 to 13 are putting her to great harassment. As the police are not taking any steps against them, they are emboldened and bent upon to capture the immovable properties of the petitioner.

4. Per contra, learned counsel for the State submitted that from the pleadings made in the writ petition, it would be evident that a dispute relating to land is going on between the parties. The petitioner and respondent nos. 11 to 13 have contested the land dispute before the court of Deputy Collector Land Reforms, the Commissioner of the Division and the Bihar Land Tribunal. A proceeding under Section 144 of the Code of Criminal Procedure was also initiated against respondent nos. 11 to 13.

5. Be that as it may, in case the petitioner files a representation before the Senior Superintendent of Police, Gaya



for police protection, he would be required to look into the matter and assess the threat perception upon the petitioner and do the needful. He shall also ensure that investigation in the two cases instituted by the petitioner be taken to its logical end if the same is still going on.

6. With the aforesaid observations, the application is disposed of.

(Ashwani Kumar Singh, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	31.08.2019
Transmission Date	31.08.2019

