

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1159 of 2019

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

NADIM AKHTER Son of Late Rais Ahmad Resident of Mohalla-Purani
Gudri, Bettiah Town, Ward No.10, P.O-Bettiah, P.S.-Kalibag (O.P.), District-
West Champaran.

... .. Petitioner

Versus

1. The State Of Bihar through the Chief Secretary, Govt. Of Bihar, Patna.
2. The Principal Secretary, Department of Home, Govt. of Bihar, Patna.
3. The Director General of Police, Govt. of Bihar, Patna.
4. The Inspector General of Police, Tirhut Zone, Muzaffarpur.
5. The District Magistrate, West Champaran at Bettiah.
6. The Superintendent of Police, West Champaran at Bettiah.
7. The Deputy Superintendent of Police, Bettiah, District-West Champaran.
8. The Sub-Divisional Magistrate, Sadar District-West Champaran.
9. The Station House Officer, Town Police Station (Kalibag O.P.), Bettiah
District-West Champaran.
10. Asgar Ali (Ex Police Official) Son of Late Sulaiman Mian Resident of
Mohalla-Purani Gudri, Bettiah Town, Ward No.10, P.O.-Bettiah, P.S.-
Kalibag(O.P) District-West Champaran.

... .. Respondents

Appearance :

For the Petitioner : Mr.Md. Anis Akhtar, Advocate

For the Respondent-State: Mr.Prabhat Kumar Verma, AAG-3

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL JUDGMENT

Date : 13-08-2019

In the instant application preferred under Articles 226
and 227 of the Constitution of India, the petitioner has prayed for
the following reliefs :-



“(a) For issuance of an appropriate writ, order or direction, directing the respondent-authorities to provide safety and security to the life and property of the petitioner and his family members who are living and breathing under immense threat created by respondent no.10 namely Asgar Ali and Ex Police Official.

(b) For issuance of an appropriate writ, order or direction, directing the respondent authorities to take action against the respondent no. 10 namely Asgar Ali an Ex Police Official who continuously giving threat to the petitioner for dire consequences and with the help of some police officials who are close to him trying to grab the land of the petitioner and causing obstruction in construction of boundary wall over the land of the petitioner.

(c) For issuance of any other relief or reliefs which is fit and proper in the facts and circumstances of the case.”

2. Learned counsel appearing for the petitioner submitted that respondent no. 10, namely, Asgar Ali being Ex



Police Official having deep influence over the local police, taking advantage of his position is taking law and order in his hand. In spite of repeated requests made by the petitioner and even after having judgment dated 19.01.2019 passed in Title Suit No. 18 of 2003 in his favour, he is unable to raise boundary wall over his land and the respondent police officials are sitting tight over the matter for the reasons best known to them. He contended that local administration is not discharging its statutory duties to protect the constitutional rights of the petitioner.

3. On the other hand, learned counsel appearing for the State submitted that the submissions made by the petitioner in the present writ petition are too vague. He contended that the administrative authorities are conscious of their duties and, in case, any complaint would be received regarding any act of omission or commission on the part of respondent no. 10, the administrative authorities would certainly act in accordance with law.

4. Be that as it may, the writ petition is disposed of with liberty to the petitioner to file representation in respect of his grievances before the Superintendent of Police, West Champaran, Bettiah within four weeks and, in case of filing of such representation within the stipulated period, the



Superintendent of Police shall be required to look into the matter
and take appropriate steps in accordance with law.

(Ashwani Kumar Singh, J.)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	22.08.2019
Transmission Date	

