

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1192 of 2019

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

SURESH TIWARI Son of Late Rameshwar Tiwari, resident of Village-Dharampur Pondil, Police Station-Kurtha, District-Arwal, at present residing at House no. N-14/114/B4E, Mohalla-Sarainandan (Khojma), District-Varanasi.

... .. Petitioner

Versus

1. The State Of Bihar through the District Magistrate, Arwal
2. The District Magistrate, Arwal
3. The Superintendent of Police, Arwal
4. The Sub-Divisional Officer, Arwal.
5. The Sub-Divisional Police Officer, Arwal.
6. The Station House Officer, Kurtha Police Station, Arwal.
7. Sri Deo Vinod Tiwari Son of Sidheshwar Tiwari Resident of Village-Dharampur Pondil, Police Station-Kurtha, District-Arwal.
8. Pankaj Tiwari Son of Deo Vinod Tiwari Resident of Village-Dharampur Pondil, Police Station-Kurtha, District-Arwal.
9. Niraj Tiwari Son of Deo Vinod Tiwari Resident of Village-Dharampur Pondil, Police Station-Kurtha, District-Arwal.
10. Sanjay Tiwari Son of Deo Vinod Tiwari Resident of Village-Dharampur Pondil, Police Station-Kurtha, District-Arwal.

... .. Respondents

Appearance :

For the Petitioner : Mr.Suraj Narain Yadav, Advocate
For the Respondent-State: Mr.M. Nasrul Huda Khan, SC-1

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL JUDGMENT

Date : 20-08-2019

This application under Articles 226 & 227 of the Constitution has been filed by the petitioner for directing the official respondents to provide him security as he has threat to life at the hands of respondent nos. 7 to 10.



2. Learned counsel for the petitioner submitted that the petitioner had filed a petition before the Departmental Public Grievance Redressal Officer, Revenue and Land Reforms Department, Patna which was registered as Complaint No. 999940119071800872. Pursuant to a notice issued to the petitioner on 27.06.2018 on his complaint, he appeared on 05.10.2018 and submitted his representation in detail. Thereafter, the matter was sent to the District Magistrate, Arwal to look into the grievance raised by the petitioner, but nothing is happening. He contended that due to threat perception, he is unable to go to his village home falling within Kurtha Police Station in the district of Arwal.

3. On the other hand, learned counsel appearing for the State submitted that threat perception upon the life of any person cannot be appreciated by court. He contended that such perception has to be examined by the administrative authorities. He has further contended that there is District Level Security Committee headed by the District Magistrate in each of the districts of the State of Bihar in order to assess the threat perception and, if necessary, to provide police protection.

4. Having heard learned counsel for the parties, the writ petition is disposed of with a direction to the petitioner to file a detailed representation before the District Level Security



Committee, Arwal for police protection. In case, such a representation is filed within four weeks from today, the District Level Security Committee shall be required to examine the same and dispose of the representation of the petitioner by a reasoned order within two months from the date of filing of the representation.

(Ashwani Kumar Singh, J)

kanchan/-

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

