

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1387 of 2019

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

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1. Tirthanand Sah, Son of Late Ganeshi Sah Resident of Village - Milki, P.S.- Maranga, Dist.- Purnia.
 2. Ramanand Sah, Son of Late Ganeshi Sah Resident of Village - Milki, P.S.- Maranga, Dist.- Purnia.
 3. Ghanshyam Sah, Son of Late Chandradeo Sah Resident of Village - Kolasi, P.S.- Korha, Dist.- Katihar.
 4. Dilip Sah, Son of late Kailu Sah Resident of Village - Kolasi, P.S.- Korha, Dist.- Katihar.
 5. Pradeep Kumar Sah @ Guddu Kumar, Son of Late Nityanand Sah Resident of Village - Kolasi, P.S.- Korha, Dist.- Katihar.

... .. Petitioners

Versus

1. The State of Bihar through the Chief Secretary, Bihar, Patna.
2. The Chief Secretary, Bihar, Patna.
3. The Principal Secretary, Department of Home, Bihar, Patna.
4. The Director General Of Police, Bihar Patna.
5. The Inspector General of Police, Purnea, Range Purnea.
6. The District magistrate cum Collector, Purnea.
7. The Superintendent of Police, Purnea.
8. The Sub Divisional Magistrate, Purnea.
9. The Sub Devisionl Police, Officer, Purnea.
10. The S.H.O. Maranga, P.S.- Purnea.
11. Sanjay Kumar Son of Shambhu Nath Singh Resident of Village - Sarvodaya Nagar, Near Dist. School, P.S.- Khajachi Hat, Dist.- Purnea.
12. Abhishek Kumar Singh Son of Mithilesh Kumar Singh Resident of Village - Purnea City, P.S.- Sadar Dist.- Purnea.
13. Manoj Kumar Dev Son of Yugal Kishore Deo Resident of Village - Shakti Nagar, P.S.- Maranga, Dist.- Purnea. Dist.- Purnea.
14. Anoj Kumar Yadav Son of Late Jagdish yadav Resident of Village - Milki, P.S.- Maranga, Dist.- Purnea.
15. Fazlu Rahman Son of Late Ibrahim Resident of Village - Milki, P.S.- Maranga, Dist.- Purnea.
16. Tuntun Sah Son of Late Hira lal Sah Resident of Village - Milki, P.S.- Maranga, Dist.- Purnea.
17. Sadanand Yadav Son of Ramashare Yadav Resident of Village - Milki, P.S.- Maranga, Dist.- Purnea.
18. Shekh Mudhi Son of late Md. Bhadaï Resident of Village - Milki, P.S.-



Maranga, Dist.- Purnea.

19. Gunanand Sah Son of Late Narayan Sah Resident of Village - Dagarua, P.S.- Dagarua, Dist.- Purnea.
20. Dhirendra Sah Son of Jitlal Sah Resident of Village -Dandkhora, P.S.- Dandkhora, Dist.- Katihar.

... .. Respondents

Appearance :

For the Petitioner/s : Mr. Raj Kumar-Advocate
For the Respondent/s : Mr. Sheo Shankar Prasad-SC-8

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 14-10-2019 The petitioners have made the following prayers in

Para-1 of the writ petition:-

“1. (I) For issuance of direction upon the State respondent authorities to provide protection from the respondent No.11 to 20 who intentionally want to grab the ancestral land of the petitioners under Mauza-Maranga, Thana No.110, Plot No.5302, 5385, 5319, 5384, 5405, 5412, 5431, 5742, 5763, 5316, 3639, 3670, 3682, 3702, 3721, 3729 in Khata No.483, Plot No.5303, 5314, 5730, 5733 and 5737 in Khata No.484, Plot No.5729 in Khata No.486 and Plot No.5110, 5111, 5124, 5126, 5127, 5130, 5555, 6068, 6090, 6095, 6100, 5134, 5135, 5136, 5137, 5138, 5139 and 5140 in Khata No.487 total area 30.79 Acers, which is situated under Purnea East Circle, district of Purnea.

II. Also for further direction to the State Respondents to provide protection to the petitioners, who apprehends their life as they have been threatened by the



respondent No.11 to 20.

*III. Also for any other relief/ reliefs for which
the petitioner is entitled in the eye of law.”*

An objection has been raised by the learned counsel for the State regarding the maintainability of the writ petition on the ground of availability of the remedy under Common Civil Law.

After some arguments, learned counsel for the petitioners seeks leave to withdraw the present writ petition with liberty to avail of the statutory remedy available under the Common Civil Law for the redressal of the grievances raised in the instant application.

Leave is granted.

The application is disposed of.

(Ashwani Kumar Singh, J)

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