

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1537 of 2019

Arising Out of PS. Case No.- Year-0 Thana- District- Kaimur (Bhabhua)

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RAMAYAN SAH @ RAMAYAN PRASAD Son of Late Ramdeni Sah Resident
of Village - Dadar, P.S.- Mohaniya, District- Kaimur (Bhabhua)

... .. Petitioner

Versus

1. The Union of India, Through the Secretary Ministry of Home Govt. of India, New Delhi
2. The State of Bihar, through Director General of Police, Bihar
3. The S.P. Kaimur at Bhabhua
4. The S.H.O., P.S.- Mohaniya, District- Kaimur (Bhabhua)

... .. Respondents

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Appearance :

For the Petitioner	:	Mr. Sumeet Kumar Singh Mr. Binod Kumar Singh, Advocates.
For the Union of India:		Mrs. Shail Kumari, CGC
For the State	:	Mr. Pawan Kumar, Advocate.

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL JUDGMENT

Date : 14-11-2019

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

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

“(i) For issuance of an appropriate writ/order or direction(s) for directing and commanding the respondent authorities particularly respondent nos. 3 and 4 not to disturb the peaceful regular life of the petitioner and also prevent/restraint them knocking the door unnecessarily on the ground of searching his son namely Munna Sah (Gupta) @ Brijesh Kumar who was made accused in N.D.P.S. registration no. 664 of 2014 registered under Section 8/20/27-A of the N.D.P.S. Act.



(ii) For issuance of an appropriate writ/order or direction(s) for directing and commanding the respondent authorities for not taking any illegal action against the petitioner at his residential house situated in Mauja Dadar under Thana No. 524, Khata No. 215 and Plot No. 745 area 6 decimals as he is residing thereafter constructing house with whom his son's namely Munna Sah and Sunil Sah having no concern and his son's are residing in Darahwa since 2006 and the petitioner was not accused in the above case.

(iii) For any other relief or reliefs for which the petitioner is entitled for.

3. It is submitted that the petitioner's son Munna Sah @ Brijesh Kumar has been implicated in a case involving offence under NDPS Act which proceeded and was registered as NDPS Reg. No. 664 of 2014 in which he was declared absconder upon processes under Section 82 and 83 Cr. P.C. being issued. It is submitted that the petitioner is a 70 year old man who is being harassed by the police unnecessarily for ascertaining the whereabouts of his son even though the petitioner had all along been living separately from his two sons for the past 20 years. As such the petitioner has filed a representation before the Superintendent of Police, Kaimur at Bhabhua, categorically stating that he has no contact or connection with his elder son Munna Sah and that the petitioner has been living separately. As such the petitioner has requested for a direction to the Mohania police station to desist from disturbing the



petitioner in connection with the whereabouts of his son Munna Sah.

4. Having regard to the nature of grievance of the petitioner, this Court directs the Superintendent of Police, Kaimur at Bhabhua (respondent no. 3) to consider and dispose of the petitioner’s representation dated 31.10.2018 (Annexure-3), if pending, on its own merits and in accordance with law expeditiously, and in any event preferably within a period of four weeks from today.

5. The writ petition stands disposed of.

(Vikash Jain, J)

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AFR/NAFR	NAFR
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