

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1530 of 2019

Arising Out of PS. Case No.-2339 Year-2018 Thana- VAISALI COMPLAINT CASE
District- Vaishali

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1. YASHODA DEVI Wife of Late Thakur Prasad Shah Resident of Anwarpur, P.S.- Sarai, District- Vaishali, Bihar, Pin Code- 844125.
 2. Munni Devi Wife of Raghunath Shah, daughter of Late Thakur Prasad Shah Resident of Village- Sambhupur Kauari, P.O.- Asoi, P.S.- Sarai, District- Vaishali, Bihar, Pin Code- 844125.
 3. Vikash Kumar Son of Raghunath Shah Hospital Road Ward No. 3, Akbar Malahi, Telia Sarai, P.S.- Sarai Vaishali, Bihar, Pin Code- 844125.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Patna, Bihar
2. The Principal Secretary, Home Police Deptt., Govt. of Bihar, Patna, Bihar. B
3. The Director General of Police, Patna, Bihar.
4. The Senior Superintendent of Police (S.S.P.), Vaishali.
5. The S.H.O. Sarai Thana, Vaishali.
6. Ajay Kumar Son of Late Thakur Prasad Shah Resident of Anwarpur, Post- Paura Madan Singh, P.S.- Sarai, District- Vaishali, Bihar- 844125.
7. Sunita Devi Wife of Ajay Kumar Shah Resident of Anwarpur, Post- Paura Madan Singh, P.S.- Sarai, District- Vaishali, Bihar- 844125.
8. Prashant Kumar Son of Ajay Kumar Resident of Anwarpur, Post- Paura Madan Singh, P.S.- Sarai, District- Vaishali, Bihar- 844125.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Saurabh Vishwambhar
For the Respondent/s : Mr. Sheo Shankar Prasad

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date : 14-11-2019

The present writ petition has been filed for the following reliefs, as formulated by the petitioners --

(i) For issuance of direction to the respondent authorities (Respondent No. 1 to 5) to provide adequate protection and deploy female police personnel for petitioner no. 1 and 2, so that the



petitioner no. 1 and 2 can enjoy her fundamental rights as guaranteed in the Constitution of India;
(ii) For issuance of direction to the SHO, Sarai Police Station (Respondent No. 5) not to create hindrance in the proper living of petitioner no 1 to 3 on aid and advise of respondent no. 6 and to direct respondent no. 5 not to create trouble/hindrances in daily business activity of the petitioner no.3.

2. It is submitted that the petitioner no. 1 is the mother of respondent no. 6 who has however been ill-treating her and has denied maintenance and expenses. Complaint Case No. 2339 of 2018 has been filed in this regard before the learned Chief Judicial Magistrate, Hajipur, Vaishali. It is submitted that the respondent no. 6 is a politically influential person and has been disrupting the business of the petitioner no. 3 who runs a sweet shop, but the SHO, Sarai Police Station, who appears to be working in collusion with the respondent no. 6 refused to institute FIR when approached by the petitioner no. 3. The day-to-day life of the petitioner nos. 1 and 3 are being disturbed by the police personnel who are not taking any action against the respondents and as such the petitioners are concerned about their personal safety. The petitioners have therefore sought a direction to provide adequate security to the petitioners.

3. Learned counsel for the State appears and has been heard.

4. Having regard to the nature of the grievance, this Court is of the view if the petitioners perceive threat to their safety or liberty, they are entitled to approach the District Level Security Committee for appropriate relief.

5. The writ petition is accordingly disposed of with liberty to the petitioners to approach the concerned District Level Security Committee with an appropriate representation for



providing them with adequate security in view of their threat perception. If any such representation is filed within a period of one week from today, the same shall be considered and disposed of on its own merits in accordance with law expeditiously and in any event within a further period of two weeks thereafter.

(Vikash Jain, J)

Chandran/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	16.11.2019
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