

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.843 of 2017

Arising Out of PS. Case No.- Year-1111 Thana- District-

Niraj Kumar Son of Late Thakur Prasad Gupta, Resident of Village- Kateya,
P.O. and P.S.- Kateya, District- Gopalganj.

... .. Petitioner/s

Versus

1. The State Of Bihar Through The Principal Secretary, Department Of Home, Government Of Bihar, Patna
2. The Director General of Police, Department of Home Police , Government of Bihar, Patna.
3. The District Magistrate, Gopalganj.
4. The Superintendent of Police, Gopalganj.
5. The Sub Divisional Police Officer, Hathua, P.S.- Kateya, District- Gopalganj.
6. The Thanadhyaksh Kateya, P.S.- Kateya, District-n Gopalganj.
7. Vijay Kumar , Son of Late Thakur Prasad Gupta, Resident of Village P.O.- Kateya, P.S.- Kateya, District- Gopalganj, presently Residing at MIG- 11, Maharanapratap Nagar, Bhaujauli Colony, Deoria, P.O.P.S.- Deoria, Uttar Pradesh, Pin-274001.
8. Manoj Kumar, Son of Late Thakur Prasad Gupta, Resident of Village P.O.- Kateya, P.S.- Kateya, District- Gopalganj.
9. Sanjeev Kumar, Son of Late Thakur Prasad Gupta, Resident of Village P.O.- Kateya, P.S.- Kateya, District- Gopalganj, Presently at Additional General Manager Projects, Belanta Alluminium Limited, Langigar, Kala Handi, District- Kala Handi, Orrisa, Pin-766027.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Pandey No-5
For the Respondent/s : Mr. Shailendra Kumar, AC to Gp-5

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 10-01-2020 Heard learned Counsel for the petitioner and the
learned Counsel for the respondent State.

This writ application has been filed by the petitioner
for issuance of direction commanding the respondent 1st set not



to interfere in peaceful possession of the petitioner over the residential house.

The nature of the prayer made in the writ petition is such that the petitioner is required to approach a court of competent jurisdiction for grant of injunction or otherwise.

Learned Counsel for the petitioner has submitted that the respondent 1st set are emboldened by the patronage being given to them by the police officers.

Such averments of the petitioner are not corroborated by the complaint filed before the Superintendent of Police which is Annexure 7 to the writ petition. No such complaint has been made to the police authorities, and for the first time such submission is made before this Court in the instant proceedings. Since such complain was not made before the Superintendent of Police, the question of non consideration thereof by the Superintend of Police does not arise.

In the circumstances there is no occasion for this Court to issue any direction in the instant proceeding.

The writ petition is dismissed.

(Madhuresh Prasad, J)

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