

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.23 of 2020

Arising Out of PS. Case No.-354 Year-2019 Thana- MOTIHARI MUFASIL District- East
Champaran

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Ranjit Kumar Gupta, aged about 44 years, Male, Son of Late Ganesh Sah
Resident of Village-Jiwdhara, P.S.-Pipra Kothi, District-East Champaran.
... .. Petitioner

Versus

1. The State Of Bihar Through The Principal Secretary Home Deptt. Govt. Of Bihar, Patna .
2. The Director General of Police, Patna, Bihar.
3. The Superintendent of Police, East Champaran at Motihari. East Champaran at Motihari.
4. The Dy. Superintendent of Police, Motihari, East Champaran. East Champaran
5. The Station House Officer, P.S. Muffasil, District-East Champaran at Motihari. East Champaran at Motihari.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr.
For the Respondent/s : Ms. Divya Verma, AC to AAG-3

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 05-02-2020 No one appears on behalf of the petitioner.

Learned counsel for the State is present.

Petitioner in the present case is seeking following
reliefs:

"I. For commanding/directing the respondent to investigate and conclude the matter in a fair and impartial manner in connection with Muffasil P.S. Case No. 354 of 2019 instituted for offences punishable under Sections 420/467/468/34 of the Indian Penal Code.

II. For also directing the respondents to apprehend the accused persons in connection with aforesaid P.S. Case and secure the life and property of the petitioner and his family who are facing consistent threat at the hand of accused persons who are evading their arrest in collusion and connivance with the police officials.



III. Also for directing the respondent No. 2, 3 and 4 to monitor/supervise the investigation of the aforesaid case and further the respondent no. 5 to be directed to conclude/complete the investigation after recording the statement of all the materials witness without any further delay.

IV. For issuance of any other writ(s), order(s), or direction as nature of the case may require."

On going through the statements made in the writ application it appears that the petitioner is claiming himself a bonafide purchaser of a piece of land and that he has a dispute over the said land with the accused Rambabu Prasad Yadav who is ex-Mukhiya.

The case has been registered recently on 06.08.2019. The petitioner claims that he and his family members have got threat to their life and in this regard though he has given representation to the Senior Police Officer vide Annexure '3' to the present application, no action has been taken thereon.

Learned counsel for the State submits that the case has been lodged recently and the matter is under investigation, therefore at this stage the petitioner cannot have any grievance over the investigation. It is further submitted that in case the petitioner and his family have got any threat from the private respondents, they may approach the Superintendent of Police, East Champaran at Motihari (respondent no. 3) who may look into the grievance of the petitioner and take appropriate steps if the threat perception of the petitioner and his family is found to be genuine.

In the given facts and circumstances of the case,



this application is being disposed off with liberty to the petitioner to approach the Superintendent of Police, East Champaran at Motihari (respondent no. 3) and submit all such materials which he may desire in support of his perception of threat and thereupon the respondent no. 3 shall look into the same and in case the threat perception of the petitioner and his family is found to be correct and genuine, appropriate steps shall be taken by the respondent no. 3 in accordance with law.

This Writ Application stands disposed off accordingly.

(Rajeev Ranjan Prasad, J)

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