

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.14 of 2020

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

1. Renu Jha W/o Vikash Jha Resident of Mithila Colony, Nasriganj, P.O.-
Bataganj, P.S.- Danapur, Dist- Patna.
2. Vikash Jah

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary (Home Police), Govt. of Bihar,
Patna Bihar
2. Director General of Police, Bihar, Patna Bihar
3. The Inspector General of Police, Patna, Zone, Patna. Bihar
4. District Magistrate, Patna. Bihar
5. The Sub. Divisional Officer, Danapur, Patna Bihar
6. The Senior Superintendent of Police, Patna Bihar
7. The Station House Officer, Danapur, P.S., District- Patna. Bihar
8. Sri Vijay Karan Singh S/o Late Ram Shusil Rai Resident of Village- Purani
Panapur, P.S.- Danapur, P.O. Digha, at Present Mithila Colony, Nasriganj,
P.S.- Danapur, P.O.- Bataganj, Dist- Patna, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Ashish Giri
For the Respondent/s : Mr.Md. Nadim Seraj

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 14-01-2020 Heard the counsel for the parties.

Petitioners have sought for following reliefs in this
application filed under Article 226 and 227 of the Constitution
of India:-

“i) To issue a writ in the nature of Mandamus or to
pass order/orders and give a direction to the state authorities to
give full protection to the life and property of the petitioner and
make the land free from the illegal encroachment done by Sri
Vijay Karan Singh and his family members.

ii) To issue a Mandamus to the authorities to maintain
the personal liberty and to give the full protection to the
petitioner and her family.

iii) To issue a direction to the authorities to maintain
the privacy of the petitioner which is under threat in the hand of



Sri Vijay Karan Singh with his family members.

iv) To issue a direction and Mandamus to the state authorities to restrain Sri Vijay Karan Singh alongwith family from the encroachment upon the vacant land of the petitioner.”

The petitioners have not filed any petition for protection to the District Level Committee or to the State Level Protection Committee. The petitioner shall file appropriate petition before the concerned committee who shall pass a reasoned order within two months of filing of the petition.

So far prayer for recovery of illegal possession of Mr. Vijay Karan Singh and his family members is concerned, the disputed question of facts shall be examined by the competent Civil Court, though Title Suit No.135 of 2006 brought by Vijay Kumar was dismissed for non-prosecution.

Petitioners have stated that they are in possession of the part of the house constructed by the parents of the petitioner Renu Jha, if that is the fact, the respondent nos.6 and 7, the Senior Superintendent of Police, Patna and the Station House Office, Danapur, P.S. District, Patna shall ensure that the petitioners are not dispossessed or disturbed in their peaceful life.

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(Birendra Kumar, J)

