

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.1863 of 2019

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

RANJAN KUMAR Son of Bibhas Singh @ Bibhash Prasad Singh Resident
of Village - Mahgama, P.S.- Rajoun, Distt - Banka.

... .. Petitioner

Versus

1. STATE OF BIHAR THROUGH THE PRINCIPAL SECTT. DEPTT. OF
HOME (POLICE) GOVT. OF BIHAR PATNA
2. The District Magistrate Cum Collector, Banka.
3. The Superintendent of Police, Banka.
4. The Deputy Collector, Land Reforms, Banka
5. The Sub - Divisional Officer, Banka.
6. The Circle Officer, Rajoun, Distt - Banka.
7. The Station Home Officer, Rajoun, Police Station, District - Banka.
8. Sonelal Singh @ Soni Mandal Son of Late Mothari Singh @ Mothari
Mandal Resident of Village - Mahgama, P.S.- Rajoun, Distt - Banka.
9. Raju Singh Son of Sonelal Singh @ Soni Mandal Resident of Village -
Mahgama, P.S.- Rajoun, Distt - Banka.
10. Ravindra Singh Son of Sonelal Singh @ Soni Mandal Resident of Village -
Mahgama, P.S.- Rajoun, Distt - Banka.
11. Dilip Singh Son of Sonelal Singh @ Soni Mandal Resident of Village -
Mahgama, P.S.- Rajoun, Distt - Banka.
12. Pankaj Singh Son of Sonelal Singh @ Soni Mandal Resident of Village -
Mahgama, P.S.- Rajoun, Distt - Banka.

... .. Respondents

Appearance :

For the Petitioner/s : Mr. Satish Chandra Mishra, Advocate
Mr. Md.Nurul Hoda, Advocate
For the Respondent/s : Mr. Ruchikar Jha, AC to SC 8

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 04-02-2020 There seems to be a dispute between the parties on a

right to way. It is the grievance of the petitioner that the other

side has encroached upon the land which is being used by the

family of the petitioner for passage.

So far as this part of the dispute is concerned, sitting



in its writ jurisdiction this Court would not go into the said dispute. Liberty is there to petitioner to seek his remedy before the appropriate court/forum in respect of the said grievance.

The another submission of learned counsel for the petitioner is that the petitioner has been apprehending danger to his life at the hands of the second party.

Again, this is a matter which may be looked into and the threat perception of the petitioner may be examined and considered only by the agency who are there to maintain the law and order. If so advised, in this regard, the petitioner may submit his representation before the Superintendent of Police, Banka (respondent no. 3) who will examine the grievance of the petitioner as to threat to his life and based on such perception he will take appropriate steps in accordance with law as early as possible. The petitioner may file his representation in this regard within a period of fifteen days from today.

Let it be recorded that this Court has not gone into the merit of the contentions and no part of it shall be construed as any reflexion on the rights of either parties.

The writ application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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