

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.95 of 2022

Arising Out of PS. Case No.-274 Year-2021 Thana- PATEPUR District- Vaishali

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1. AMARJEET KUMAR, Son of Mahesh Rai R/o Village- Singhara Tara, Post- Singhara, P.S.- Mahua, District- Vaishali, Bihar.
 2. ANJALI W/o Sh. Amarjeet Kumar, D/o Vinod Kumar Singh R/o Village and Post Mandai Deeh, P.S.- Patepur, District- Vaishali.

... .. Petitioners

Versus

1. The State of Bihar, through the Principal Secretary, Deptt. of Home Affairs, Govt. of Bihar, Patna.
2. The Director General of police, Govt. of Bihar, Patna.
3. The District Magistrate, District- Vaishali.
4. The Superintendent of Police, District- Vaishali at Hajipur
5. The SHO, Patepur Police Station, District- Vaishali.
6. Vinod Kumar Singh S/o Late Ram Chandra Singh R/o Village and Post Mandai Deeh, P.S.- Patepur, District- Vaishali.
7. Mahesh Rai S/o Not Known R/o Village- Singhara Tara, Post- Singhara, P.S.- Mahua, District- Vaishali, Bihar.

... .. Respondents

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 10-10-2022 No one appears for the petitioners.

In the present writ application the petitioners are praying for a writ in the nature of mandamus directing the State to investigate the Patepur P.S. Case No. 274/2021 properly and in accordance with law. A further prayer has been made to direct the State Respondents to provide legal protection to the petitioners whose life, freedom and liberty are said to be at stake owing to private respondent Nos. 6 and 7. It is the case of the



petitioners that two adults had developed love affair and agreed to tie nuptial knot but because they solemnize an inter-caste marriage, the father of the petitioner no. 2 has lodged a complaint with S.H.O. Patepur Police Station, Vaishali giving rise to Patepur P.S. Case No. 274 of 2021 dated 28.12.2021. The petitioners are, allegedly getting threatening calls at the hands of private respondents and they are apprehending victimisation to the extent of honour killing by the father of the petitioner no. 2. The petitioner no. 1 is said to be a government servant working in the Department of Forest, Government of Bihar.

Mr. Md. Irshad, learned AC to SC-1 is present for the State. It is submitted that in such circumstance the Superintendent of Police, Vaishali may be directed to look into the grievance of the petitioners and in case the apprehension of threats to the petitioners are found to be genuine, adequate protection may be provided to them by the Superintendent of Police.

At this stage, without going into the merit of the contentions and the allegations made in the writ application against private respondent nos. 6 and 7, this Court deems it just and proper to direct the Superintendent of Police, Vaishali at Hajipur (Respondent no. 4) to supervise Patepur P.S. Case no.



274 of 2021, give an opportunity of hearing to both the petitioners on the date and time fixed by him with prior notice and after hearing them if it is found that there is any threat to their life because of solemnization of inter-caste marriage, adequate protection shall be provided to both the petitioners. For this purpose, Respondent no. 4 shall call upon Respondent nos. 6 and 7 both and shall try to amicably resolve the dispute as well.

In the meantime, no coercive action shall be taken against the petitioners in Patepur P.S. Case No. 274 of 2021.

For purpose of conducting proper investigation, this Court has issued some directions vide order dated 09.09.2022 passed in Cr.W.J.C. No. 153 of 2017 and other analogous cases which shall equally be applicable in the present case.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

