

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Writ Jurisdiction Case No.843 of 2018**

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

=====

Deepak Kumar @ Mantu Kumar Son of Late Prem Kushwaha @ Prem Kr. Singh, resident of Main Road Mairwa, Police Station- Mairwa, District- Siwan.

... .. Petitioner

Versus

1. The State Of Bihar Through The Principal Secretary, Home Department, Govt. Of Bihar, Patna
2. The Director General of Police, Bihar, Patna.
3. The Deputy Inspector General of Police, Bihar, Patna.
4. The District Magistrate, Siwan.
5. The Superintendent of Police, Siwan.
6. The S.H.O. Mairwa Police Station, Siwan.

... .. Respondents

=====

**Appearance :**

For the Petitioner/s : Mr.Raghav Prasad, Advocate  
For the Respondent/s : Mr.Suman Kumar Jha, AC to AAG- 3

=====

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

2      12-12-2022                      Heard learned counsel for the petitioner and Mr. Suman Kumar Jha, learned AC to AAG-3 for the State.

This writ application has been filed seeking a direction to the respondent authorities to provide police protection/ bodyguard to the petitioner as he has got serious danger to his life including the life of his family members.

Learned counsel for the petitioner submits that the father of the petitioner was known as a businessman of Mairwa in the district of Siwan. On 24.08.2015 when he was in his shop, four miscreants armed with weapons came there and killed the



father of the petitioner. In this regard, Mairwa Police Station case no. 119 of 2015 under Sections 302, 120(B)/ 34 of Indian Penal Code has been lodged. Learned counsel for the petitioner submits that the case resulting in acquittal and it has been closed. His grievance is that even though after considering the threat perception of the petitioner he was provided security and a bodyguard was deputed for this purpose. All of a sudden the bodyguard was withdrawn in July, 2017. Learned counsel submits that the petitioner has still threat perceptions, he is not aware as to why the bodyguard was withdrawn without any information to him.

Mr. Suman Kumar Jha, learned AC to AAG-3 for the State submits that the threat perception of the petitioner may be examined by the competent authority and an appropriate decision may be taken thereof.

Having regard to the facts and circumstances of the case, this Court is of the considered opinion that while withdrawing the bodyguard from the petitioner, it was incumbent upon the official respondents to inform the petitioner with a suitable communication giving the reasons for withdrawal of the bodyguard. Since the substantive period has already lapsed thereafter, at this stage, this Court would grant



liberty to the petitioner to submit an appropriate application to the Superintendent of Police, Siwan (respondent no.5) who will examine the threat perception of the petitioner and in case, it is found to be genuine, appropriate recommendation shall be made to the District Security Committee, if any such recommendation is made to the District Security Committee, Siwan the Committee shall look into the same and take appropriate decision within a period of one month from the date of communication of this order.

This application stands disposed of accordingly.

**(Rajeev Ranjan Prasad, J)**

tusharika/-

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|

