

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.2522 of 2017

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

Abhay Kumar S/o Late Krishna Mohan Singh, R/o Village- Rohua Rajaram,
Anchal and P.S.- Mushari, District- Muzaffarpur.

... .. Petitioner

Versus

1. The State Of Bihar
2. Senior Suprintendent of Police, Muzaffarpur.
3. Station House Officer, Mithanpura P.S., District- Muzaffarpur.
4. Anchal Adhikari, Anchal- Mushari, District- Muzaffarpur.

... .. Respondents

Appearance :

For the Petitioner/s : Mr.Natraj Verma, Advocate

For the Respondent/s : Mr.Saroj Kumar Sharma, AC to AAG-3

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 01-12-2022 Heard Mr. Natraj Verma, learned counsel for the

petitioner and Mr. Saroj Kumar Sharma, learned AC to AAG-3

for the State.

Petitioner in this case is seeking a direction to the
respondents to protect his life and property from the hands of
anti-social elements.

Learned counsel for the petitioner has taken this Court
through the order dated 12.09.2017 passed in Case no. M-2529
of 2016/ Trial No. 72 of 2017 by the Executive Magistrate
(East), Muzaffarpur under Section 145 of the Code of Criminal
Procedure.

This Court has been shown that by the said order, the
second party has been restrained from going on the land in



question and they have been asked not to create any disturbance on the land which is in real possession of first party no. 2.

In course of hearing, however, learned counsel is unable to say as to whether there is any title suit or any other proceeding arising out of the said order is pending in any competent court of law.

Learned counsel for the State has submitted that the case is of the year 2017.

Having regard to the facts and circumstances of the case, in the nature of the submissions made before this Court, it would not be safe for this Court to proceed on the basis of incomplete information. This Court would rather grant liberty to the petitioner that in case, any fresh cause of action arises, he may bring it to the notice of the jurisdictional police station and the Senior Superintendent of Police, Muzaffarpur who will look into the materials placed before him and in case it is found that there is any need to protect the life and property of the petitioner, appropriate decisions shall be taken thereon within a reasonable period .

The application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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