

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.2145 of 2017

Arising Out of PS. Case No.-140 Year-2015 Thana- TAJPUR District- Samastipur

Rishi Kant Singh, Son of Late Harihar Prasad Singh, Resident of Village Darba, P.S. Tajpur Halai, District- Samastipur.

... .. Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna
2. The D.G.P. Govt. of Bihar, Patna.
3. D.I.G. Darbhanga, Patna.
4. Commissioner, Darbhanga.
5. D.M. Samastipur.
6. S.P. Samastipur.
7. Vinay Rai, Son of Late Rameshwar Rai.
8. Sanjay Rai. Son of Late Rameshwar Rai.
9. Mantun @ Moti Lal Rai, Son of Kamleshwar Rai.
10. Randhir @ Karu Rai, Son of Kamleshwar Rai.
11. Umesh Rai, Son of Ram Briksh Rai. Resident of Village- Darba P.S.- Tajpur (Halai), District- Samastipur.

... .. Respondents

Appearance :

For the Petitioner/s : Mr.
For the Respondent/s : Mr. Deepak Kumar, AC to GP-4

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 29-11-2022 No one appears for the petitioner.

Mr. Deepak Kumar, learned AC to GP-4 for the State.

In this writ application, the petitioner is seeking the following reliefs:-

“a. For a direction to the respondent authorities to take immediate action against private respondents no. 7 to 11 who are putting pressure and threatening the petitioner for compromise and for not appear before the Court for any proceeding with relates to Tajpur (Halai) P.S. Case No. 140 of 2015 under Section 147, 148, 149, 341, 323, 324, 307,



379, 504/34 of the Indian Penal Code and 27 of Arms. Act.

b. For a direction to arrest accused persons who have not taken bail from the Court.

c. For directing to the respondents to provide the security to petitioner and witnesses of Tajpur (Halai) P.S. Case No. 140 of 2015 against respondents no. 7 to 11.

d. To any other consequential relief/reliefs for which petitioner is entitled for by this Hon'ble Court in the facts and circumstance."

On perusal of the writ application, it appears that the petitioner is looking for protection by way of security for himself and the witnesses of Tajpur (Halai) P.S. Case No. 140 of 2015. It is stated that the petitioner is a poor person whereas the accused persons are influential and they are threatening the petitioner for compromise.

Although learned counsel for the petitioner is not present, in the interest of justice, this Court thinks it just and proper to invoke its extraordinary jurisdiction to direct the Superintendent of Police, Samastipur (respondent no. 6) to look into the matter, get examined the grievance of the petitioner and provide adequate protection to the petitioner and the other witnesses so that they can comfortably depose in course of trial, if the same is still pending, in connection with Tajpur (Halai) P.S. Case No. 140 of 2015.

The Investigating Officer of the case is under bounden duty under the Witness Protection Scheme to apprise the



informant and other witnesses about the scheme of the Government to provide protection to the witnesses and to make them know the procedures prescribed on this behalf. The Investigating Officer shall be instructed accordingly and if required, the petitioner may be called upon to submit an appropriate application for this purpose.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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