

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.2521 of 2017

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

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Ram Padarath Mishra, S/o Late Ram Narayan Mishra, R/o Village- Beli, P.O.-
Premnagar, P.S.- Dumra, District- Sitamarhi.

... .. Petitioner

Versus

1. The State Of Bihar through, Director General Of Police, Bihar, Patna.
2. The Deputy Inspector General of Police Tirhut Range Muzaffarpur.
3. The Superintendent of Police Sitamarhi.
4. The Officer Incharge P.S. Dumar, Sitamarhi.
5. Ramkrishan Narayan S/o Ram Padarath Mishra, R/o Village- Beli, P.O.-
Prem Nagar, P.S.- Dumra, District- Sitamarhi.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr.Vijay Kumar Mishra, Advocate.
For the Respondent/s : Mr.Sheo Shankar Prasad, SC-8.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 13-09-2022 The petitioner in the present case is apprehending threat to his life in the hand of his own elder son. He submits that, in this regard, he has made complaint to the Superintendent of Police, Sitamarhi (Annexure-2 to the writ application) but nothing has been done on his complaint.

A counter affidavit has been filed in this case on behalf of the respondent nos.3 and 4. It is stated that the son of the petitioner has submitted an application that his father and his brother have sold land much more than their share and they have also sold the trees standing over the remaining land and on demand of partition, they assaulted and thrown him out from the



house. The son has, therefore, filed a partition suit being Partition Suit No.237 of 2017 in the court of learned Sub-Judge, Sitamarhi which is pending. It is stated that one report vide non FIR No.97 of 2017 dated 01.07.2017 has been submitted to the Sub-Divisional Magistrate, Sitamarhi to initiate a proceeding under Section 107 Cr.P.C. against the parties. Another report vide non FIR No.165 of 2017 dated 15.11.2017 has been submitted to the Sub-Divisional Magistrate, Sitamarhi for initiation of proceeding under Section 144 Cr.P.C.

In the given facts and circumstances of the case, this Court finds that the grievance of the petitioner has been taken care of by the respondent nos.3 and 4. In case, the petitioner is still aggrieved, he may seek his remedy as may be advised to him in accordance with law.

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'.

