

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.702 of 2022

Arising Out of PS. Case No.- Year-0 Thana- District- Patna

Ram Krishna Paswan, Son of Late Rameshwar Paswan Resident of Village -
Railey, P.S.- Pandarak, Distt.- Patna.

... .. Petitioner

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Home Affairs, Government of Bihar, Patna.
2. The Director General of Police, Government of Bihar Patna.
3. The District Magistrate, Patna.
4. The Senior Superintendent of Police, Patna.
5. The Superintendent of Police (Rural), District- Patna.
6. The Deputy Superintendent of Police, Barh, District -Patna.
7. The Sub Divisional officer, Barh, District - Patna.
8. The Circle Officer, Pandarak, District- Patna.
9. The Station House Officer (S.H.O.), P.s.- Pandarak, District- Patna.
10. Munna Singh Son of Late Brahamdeo Singh Resident of Village - Railey, P.S.- Pandarak, District- Patna.
11. Bhuneshwar Sharma Son of Late Mathura Singh Resident of Village - Railey, P.S.- Pandarak, District- Patna.
12. Sunil Kumar Singh Son of Late Alakhdeo Singh Resident of Village - Railey, P.S.- Pandarak, District - Patna.
13. Jai Prakash Sharma Son of Late Madan Singh Resident of Village - Railey, P.S.- Pandarak, District - Patna.

... .. Respondents

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 01-09-2022 Heard learned counsel for the petitioner and Mr.
Deepak Kumar, learned AC to G.P.4 for the State.

Petitioner in the present case is seeking indulgence of
this Court in it's writ jurisdiction to direct the respondent
authorities to provide adequate security of life and property to



the petitioner.

In order to seek reliefs as prayed in the writ application, the petitioner claims that he and his family members are cultivating and managing their land in village Railey, description of which has been given in the writ application. He alleges that the respondents started claiming possession on some part of the land by claiming to have purchased the same from some shareholders. The writ petitioner has discussed the result of series of litigations in the civil proceedings.

It appears that earlier the private respondents had moved this Court in Cr.W.J.C. No. 536/2013 (Annexure '8'). The learned Predecessor Bench of this Court in it's concluding part of the order recorded as under:

“Be that as it may, it is an obligation on the part of the State to protect life and property of its citizen account thereof, in case the petitioners so approach before the officer-in-charge of Pandarak Police Station with an allegation then, in that even the Pandarak Station will come into action by providing adequate protection during course of exercising constitutional rights after having the genuineness of the assertion so made on behalf of petitioners properly verified.
With the aforesaid observation, instant petition is disposed of.”

The order of the learned Predecessor Bench was passed as back as on 05.02.2014. The said order directs the State authorities to provide adequate protection to the petitioners in



the said case after having the genuineness of the assertions so made on behalf of the petitioners properly verified. Now, after eight years of the passing of the said order, this petitioner has approached this Court with rival claims which are all in the nature of civil disputes and this Court sitting in it's present jurisdiction cannot endeavour to go into the kind of disputes raised by the petitioner.

No relief may be granted to the petitioner in the present writ application. He is at liberty to approach an appropriate forum in accordance with law.

This application stands dismissed.

(Rajeev Ranjan Prasad, J.)

Rajeev/-

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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'.

