

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.50 of 2023

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

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1. Md. Minhaj @ Md. Minhajuddin @ Md. Minhaj Mian S/O Late Abdul Sattar Resident of village- Jasat P.S.- Pakaribarwan (Dhamaul), District- Nawada.
 2. Bibi Naseema Khatoon W/O Md. Minhaj @ Md. Minhajuddin Resident of village- Jasat P.S.- Pakaribarwan (Dhamaul), District- Nawada.
 3. Md. Javed Raza S/O Md. Ali Raza Resident of village- Jasat P.S.- Pakaribarwan (Dhamaul), District- Nawada.
 4. Md. Rijwan S/O Md. Salam Resident of village- Jasat P.S.- Pakaribarwan (Dhamaul), District- Nawada.

... .. Petitioner/s

Versus

1. The State Of Bihar Through The Home Secretariat, Bihar, Patna. Bihar
2. The District Magistrate, Nawada Bihar
3. Superintendent Of Police, Nawada. Bihar
4. Deputy Collector Land Reform, Nawada Bihar
5. Circle Officer, Pakribawan District- Nawada Bihar
6. The Officer-In-Charge, Pakribawan District- Nawada Bihar
7. The Incharge Dhamaul Out Post, P.S.- Pakaribawan, District- Nawada Bihar
8. The Assistant Sub Inspector Of Police, Dhamaul Out Post, P.S.- Pakaribawan, District- Nawada. Bihar
9. Bachi Devi W/O Ram Khelawan Kewat Resident Of Village- Jasat P.S.- Pakaribawan, District- Nawada.
10. Madan Mohan Prasad S/O Late Sidheshwar Lal Resident Of Village- Jasat P.S.- Pakaribawan, District- Nawada.
11. Vijay Kumar Sinha S/O Late Sidheshwar Lal Resident Of Village- Jasat P.S.- Pakaribawan, District- Nawada.
12. Ajay Kumar Sinha S/O Late Sidheshwar Lal Resident Of Village- Jasat P.S.- Pakaribawan, District- Nawada.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Bharat Lal, Advocate
For the State : Mr. Suman Kumar Jha, AC to AAG-3

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 09-10-2023 Heard learned counsel for the petitioners and the



State.

2. The petitioners in the present case are complaining against the conduct of Circle Officer, Pakaribarawan, Nawada and the then S.H.O. of Dhamaul O.P. (Pakaribarawan). It is the case of the petitioners that both the authorities are pressurizing them to leave the land in question in favour of respondent no.9. It is stated in paragraph '17' of the writ application that against this conduct of the officers, the petitioner no.1 gave representations to the Circle Officer, Pakaribarawan (respondent no.5), the Director General of Police, Bihar and the District Magistrate, Nawada as also the Superintendent of Police, Nawada but they are not responding to the same.

3. Learned counsel for the State submits that in the nature of the grievances of the petitioners, it would only be just and proper if the Superintendent of Police, Nawada is directed to look into the matter and ensure that the concerned police station/S.H.O. of the police station does not indulge in any unlawful act in exerting pressure upon the petitioners, however, they should be free to act in accordance with law.

4. Having regard to the facts and circumstances of the case, in the nature of the grievances of the petitioners, this Court directs the Superintendent of Police, Nawada (respondent no.3)



to look into the grievances of the petitioners particularly with respect to the conduct of the then S.H.O. of the concerned police station and take remedial measures. This Court is of the view that the authorities whether it is Circle Officer or the concerned S.H.O. of the police station, must act in accordance with law and whatever action is required to be taken that should only be done by following the established procedure of law and not otherwise.

5. This writ application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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