

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.399 of 2021

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

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ARVIND PRASAD SINHA SONOF LATE RAJARAM PRASAD
RESIDENT OF VILLAGE-BELWA TOLA, P.SAND P.O MAINATAND
DIST- WEST CHAMPARAN Petitioner/s

Versus

1. THE STATE OF BIHAR THROUGH THE DIRECTOR GENERAL OF POLICE, BIHAR
2. THE DISTRICT MAGISTRATE BIHAR
3. THE SENIOR SUPERINTENDENT OF POLICE WEST CHAMPARAN WEST CHAMPARAN
4. THE SDM, WEST CHAMPARAN WEST CHAMPARAN BIHAR
5. THE CIRCLE OFFICER MAINATAND WEST CHAMPARAN WEST CHAMPARAN BIHAR
6. THE S.H.O MAINATAND WEST CHAMPARAN S.H.O MAINATAND WEST CHAMPARAN
7. KANTA PATEL @ KANTA DOM SON OF VISHNU DAYAL PATEL RESIDENT OF VILLAGE- BELWA TOLA, P.S AND P.O. MAINATAND, DIST- WEST CHAMPARAN
8. DAYAMUNI DEVI W/O KANTA PATEL @ KANTA DOM RESIDENT OF VILLAGE- BELWA TOLA, P.S AND P.O MAINATAND, DIST- WEST CHAMPARAN
9. ANIL RAUT SON OF KANTA PATEL @ KANTA DOM RESIDENT OF VILLAGE- BELWA TOLA, P.S AND P.O MAINATAND, DIST- WEST CHAMPARAN
10. SUNIL RAUT SON OF KANTA PATEL @ KANTA DOM RESIDENT OF VILLAGE- BELWA TOLA, P.S AND P.O MAINATAND, DIST- WEST CHAMPARAN

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. N. K. Agarwal, Sr. Adv. Mr. Md. Najmul Hodda Ms. Diksha Kumari Ms. Shweta
For the Respondent/s	:	Mr. Md. Nasrul Hoda Khan, SC 1

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

3 03-07-2023 Heard Mr. N. K. Agarwal, learned senior counsel for
the petitioner and learned counsel for the State.

The present writ application has been filed seeking a



direction upon the respondent-State for protection of life and property of the petitioner, who is being subjected to criminal atrocity by the act of the private respondents. Several complaints have been filed before the SHO, Mainatand Police Station in connection with unauthorized and illegal dispossession of the petitioner. The petitioner claims to have ancestral landed property situated in Mauza Mainatand having Khata No. 314, Khesra No. 1710 administering 4 Kathha and 8 Dhur, Jamabandi No. 212 recorded in the name of his father.

Learned counsel for the petitioner submits that private respondents, by using criminal force, are trying to dispossess and prevent the petitioner from constructing boundary wall. The petitioner is living in apprehension of his life and property and has filed a written complaint before the SHO, Mainatand Police Station for appropriate action against the private respondents. He next submits that the private respondents have no fear of law and are continuously threatening the petitioner and his family members for vacating the land in question. The petitioner has also filed a representation dated 13.09.2022 before the Superintendent of Police, Bettiah (West Champaran) for taking appropriate action against the private respondents, but till date no action has been taken by the respondent-authorities.

Learned counsel for the State, referring to the counter



affidavit, submits that the respondent no. 3-Superintendent of Police, Bettiah (West Champaran) *vide* Memo dated 22.07.2021 has directed the SHO, Mainatand Police Station to submit enquiry report in this regard.

Having heard learned counsel for the parties and taking into consideration the nature of dispute and the fact that the Superintendent of Police, Bettiah (West Champaran) has intervened in the matter and has called for an enquiry report from the SHO, Mainatand Police Station, accordingly, this writ application is disposed with a direction to the Superintendent of Police, Bettiah (West Champaran), to look into the matter and decide the representation of the petitioner within a period of two months in accordance with law by a reasoned order.

With the aforesaid observation and direction, this writ writ application is disposed.

(Anil Kumar Sinha, J)

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