

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.293 of 2020

Arising Out of PS. Case No.-622 Year-2019 Thana- HAJIPUR SADAR District- Vaishali

YUGESHWAR RAY S/o Late Kuldeep Rai R/o village- Pranpur Berai, P.S.-
Hajipur Sadar, District- Vaishali

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR THROUGH THE INSPECTOR GENERAL OF POLICE, BIHAR PATNA
2. The Superintendent of Police, Vaishali at Hajipur
3. The Deputy Superintendent of Police, Vaishali at Hajipur
4. The Officer-in-charge of Hajipur Sadar Police Station, Distt. Vaishali
5. The Investigating Officer of Hajipur Sadar P.S. Case No. 622/2019, District- Vaishali at Hajipur
6. Nageshwar Rai S/o Late Mohit Rai R/o village- Senduari, P.S.- Hajipur Sadar, District- Vaishali
7. Sonu Kumar S/o Nageshwar Rai R/o village- Senduari, P.S.- Hajipur Sadar, District- Vaishali

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Surendra Kishore Thakur

For the Respondent/s : Mr. Prashant

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 19-06-2023 The petitioner, who is a retired Police Officer, has filed the present writ application, alleging that the accused persons i.e. Respondent Nos. 6 & 7 are disturbing the petitioner in enjoyment of his ancestral property.

Mr. Surendra Kishore Thakur, learned counsel for the petitioner submits that an FIR was lodged bearing Hajipur Sadar PS Case No. 622 of 2019 by the petitioner against the



Respondent Nos. 6 & 7 under Sections 341, 323, 307, 504, 385, 34 of the IPC read with Section 27 of the Arms Act. The only contention of the petitioner now is that Respondent Nos. 6 and 7 are threatening the petitioner of dire consequences due to land dispute and also pressurizing him to withdraw the criminal case. Two representations have been filed by the petitioner before the D.G.P., Bihar & Superintendent of Police, Vaishali, Hajipur (Annexure- 3 Series), which are still pending. Accordingly, learned counsel submits that he is under instruction not to press this application and pursue his representation before the concerned authority and if need be fresh representation may be filed by the petitioner.

Mr. Prashant, learned counsel appearing for the State submits that both the parties are agnates and there is admitted land dispute between them. He further submits that after investigation Police has submitted charge sheet against the respondent no. 6 and during investigation no material has come against the respondent no. 7 and as such, he has not been recommended for trial by the Police.

Having heard learned counsel for parties and taking into consideration nature of prayer, the present writ application is disposed of with liberty to the petitioner to pursue his



representation before the concerned authority with further direction that the concerned authority shall look into the representation of the petitioner and will pass appropriate order in accordance with law.

(Anil Kumar Sinha, J)

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