

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.3843 of 2023**

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Vidya Prasad S/o Late Chandu Prasad, R/o -Village Manpur, P.O. Dhangwan,  
P.S. Ekangarsarai District - Nalanda 801301.

... .. Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary, Bihar, Government of Bihar, Main Secretariat, Patna, Bihar 800015.
2. The Chief Secretary, Government of Bihar, Main Secretariat, Patna, Bihar 800015.
3. The Home Secretary, Government of Bihar, Main Secretariat, Patna, Bihar 800015.
4. The Director General of Police, Govt. of Bihar, Patna.
5. The Commissioner, West Gandhi Maidan, Raja Ji Salai, Lodipur, Patna, Bihar 800001.
6. The District Magistrate, Nalanda, Office of the District Magistrate, Collectorate Campus, Nalanda District - Nalanda, Bihar - 803101.
7. The Superintendent of Police, Nalanda, Office of Superintendent of Police, Kachahri Road, Kaghzi Mohalla, Bihar Sharif, Bihar - 803101.
8. The Sub-Divisional Officer, Hilsa.
9. The Circle Officer, Ekangarsarai.
10. Satyanarayan Paswan, S/o - Late Misinder Paswan, R/o - Manpur, P.O. - Dhangwan, P.S. - Ekangarsarai, District - Nalanda (Bihar) - 801301.
11. Sanikant Paswan, S/o Late Misinder Paswan, R/o - Manpur, P.O. - Dhangwan, P.S. - Ekangarsarai, District - Nalanda (Bihar) - 801301.
12. Manikant Paswan, S/o - Late Misinder Paswan, R/o Manpur, P.O. - Dhangwan, P.S. - Ekangarsarai, District - Nalanda (Bihar) - 801301.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr.Harsh Kaushal  
For the Respondent/s : Mr.Md. Nadim Seraj (Gp5)

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL JUDGMENT**

**Date : 09-10-2023**

The present writ petition has been filed seeking the following reliefs:-

“1(i). For the issuance of an appropriate writ of



mandamus or any other appropriate writ(s) or orders or direction(s) directing the Respondent Authorities for facilitating the removal of encroachment of the public road bearing Khesra No. 803, Khata No.- 163, Thana No.- 169, Mauza-Dhangawan., made arbitrarily, maliciously by the Respondent No. 10 to 12, which is sole ingress and egress for the Petitioner.

(ii). For directing the Respondent Authorities to give the protection in the earnest to the Petitioner along with family members, as due to malicious, arbitrary act of the Private Respondents and other conspirators, there is grave and gross threat to life and limb of the Petitioner as well as entire family of the Petitioner.

(iii). For directing the Respondent Authorities to take strict legal action against the Private Respondents for incessantly illegally, maliciously and arbitrarily encroaching the Public Road and causing mental, physical and economical harassment to the Petitioner along with his family members whereby their fundamental right as well as legal right is gravely been prejudiced.”

2. At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the Circle Officer, Ekangarsarai, for redressal of his aforesaid grievance. Liberty so sought, is granted.



3. It is needless to state that in case, the petitioner approaches the Circle Officer, Ekangarsarai, by filing appropriate petition under the provisions of the Bihar Public Land Encroachment Act, 1956, within a period of four weeks from today, the same shall be considered, in accordance with law and after hearing the affected parties, appropriate orders shall be passed thereon, forthwith.
4. The writ petition stands disposed off on the aforesaid terms.

**(Mohit Kumar Shah, J)**

Ajay/-

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| AFR/NAFR          | NAFR      |
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