

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.633 of 2022

Arising Out of PS. Case No.-741 Year-2021 Thana- GOPALGANJ TOWN District-
Gopalganj

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Rinki Kumari @ Rinki Kumari Pandey @ Rinki Pandey Daughter of Anil Pandey Wife of Sachin Shah, Resident of Hajipur Ward No.- 27, P.S.- Gopalganj Town, , District - Gopalganj, Bihar, Presently residing at Flat No.- 1044, 1st Floor, Shakti Khand - 4, Indirapuram, Ghaziabad, Uttar Pradesh

... .. Petitioner/s

Versus

1. The State of Bihar, Through the Chief Secretary, Government of Bihar, Patna
2. The Principal Secretary, Department of Home Affairs, Government of Bihar, Patna
3. The Deputy Inspector General of Police, Saran Range, Chhapra, Bihar Bihar
4. The District Magistrate, Gopalganj, Bihar
5. The Superintendent of Police, Gopalganj, Bihar
6. The Officer-in-Charge, Police Station - Gopalganj Town, District - Gopalganj, Bihar

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Prashant Kumar, Adv.

For the Respondent/s : Mr. M. Nasrul Huda Khan, Adv.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 04-04-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

Learned counsel for the petitioner has filed this
criminal writ petition for three fold relief(s).

Counsel submits that petitioner is the permanent
resident of Hajipur Ward No. 27, P.S. Gopalganj Town, District
– Gopalganj. He submits that petitioner’s parents are old, infirm
and suffer from several diseases. They come within the category

of senior citizens. Counsel submits that the present criminal writ petition has been filed for life, liberty and property of petitioner and her senior citizenship parents.

Counsel for petitioner submits that for protection of property, three criminal cases of Gopalganj Town P.S. Case No. 741 of 2021, Gopalganj Town P.S. Case No. 482 of 2021 as well as Gopalganj Town P.S. Case No. 279 of 2022 were filed by them. But due to in action of the part of the police, nothing happened in the said criminal cases. There are continuous threat at the hand of criminals who are gradually grabbing the landed properties of the petitioner and there is a continuous threat of the life of petitioner and her family members (senior citizens).

Counsel for the State submits that present criminal writ petition may be disposed off in the light of order passed in ***Surendra Singh Vs. The State of Bihar & Ors.*** in ***Cr. WJC. No. 153 of 2017*** and analogous cases decided on 09.09.2022.

After going into the merit of the case, let the petitioner is directed to file her representation in the light of order passed in ***Surendra Singh Vs. The State of Bihar & Ors.*** in ***Cr. WJC. No. 153 of 2017*** and analogous cases decide on 09.09.2022 within four weeks' from today before the Superintendent of Police, Gopalganj.

The Superintendent of Police, Gopalganj (respondent no. 5) is directed to pass an order in the light of the observations made in *Surendra Singh Vs. The State of Bihar & Ors.* in *Cr. WJC. No. 153 of 2017* with analogous cases decide on 09.09.2022.

Since, the parents of the petitioner are senior citizens, therefore, they are at liberty to move before the District Magistrate, Gopalganj and Superintendent of Police, Gopalganj under the provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 as well as its Bihar Rule, 2012.

With this liberty, the present criminal writ application is hereby **disposed off**.

(Dr. Anshuman, J.)

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