

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.957 of 2021

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

JAGDAMBA SINGH S/O Late Kameshwar Singh Resident of Brahmpur, P.S.
- Brahmpur, P.O. - Brahmpur, Dist. - Buxar.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR REPRESENTED THROUGH CHIEF SECRETARY GOVT. OF BIHAR Old Secretariat, Building, Patna.
2. Home Secretary Bihar, Patna
3. D.M., Buxar (Bihar).
4. I.G., Bihar, Patna.
5. D.I.G. Bihar, Patna.
6. Sr. S.P. Buxar
7. officer - In- Charge, Brahmpur, Police Station. Bihar
8. Ajeet Kumar Sinha S/o Brij Nath Pd. Resident of Civil Line Buxar, P.S. - Buxar Nagar, Dist. - Buxar.
9. Santosh Kumar Yadav S/O Janardhan Yadav Resident of Brahmpur, P.S. - Brahmpur, Dist. - Buxar.
10. Radhey Shyam Yadav Son of Darash Yadav Resident of Brahmpur, P.S. - Brahmpur, Dist. - Buxar.
11. Munna Yadav Son of Darash Yadav Resident of Brahmpur, P.S. - Brahmpur, Dist. - Buxar.
12. Pradeep Kr. Singh Son of Sri Jagdamba Singh Resident of Brahmpur, P.S. - Brahmpur, Dist. - Buxar.
13. Pramod Kr. Son of Sri Jagdamba Singh Resident of Brahmpur, P.S. - Brahmpur, Dist. - Buxar.
14. Pintu Yadav S/O Gena Yadav Resident of Brahmpur, P.S. - Brahmpur, Dist. - Buxar.
15. Vikash Bhushan Singh S/O Chandra Bhushan Singh Resident of Brahmpur, P.S. - Brahmpur, Dist. - Buxar.
16. Kavita Devi W/O Pradip Kr. Singh Resident of Brahmpur, P.S. - Brahmpur, Dist. - Buxar.
17. Abhishek Kr. S/o Bagesh singh Resident of Nathai Tola, Near Pokhar, P.S.- Jagdishpur, Dist. - Bhojpur (Arrah).

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Rajesh Mohan
For the Respondent/s : Mr.Md. Nadim Seraj

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 21-08-2023 1. Heard learned Counsel for the parties concerned.



2. The petitioner has filed the present writ application for a direction to the police authorities to protect the life and liberty of the petitioner from the hands of respondent nos. 8 to 11 and 14 to 17, including respondent nos. 12 and 13.
3. Learned Counsel for the petitioner submits that the petitioner owns ancestral cultivating land in village and Police Station Brahmpur, Thana no. 251, in the district of Buxar, having khata nos. 46, Khesra no. 5291 and Khata No. 644 Khesra Nos. 5347, 5348, 4898 and 5139, ad measuring 50 decimals. The petitioner has been cultivating his land having absolute right, title and possession over the same. He further submits that respondent nos. 12 and 13 are the sons of the petitioner, who, in connivance, sold the ancestral land in favour of respondent nos. 8 to 11 and 14 to 17, for which Title Suit No. 180 of 2018 has been filed by the petitioner, in which the status quo order has been granted.
4. The main contention of the petitioner is that his sons, along with the purchasers and other anti-social elements, are harassing and threatening the petitioner of his life and liberty and causing hindrance in the peaceful enjoyment of the landed property.



5. Learned Counsel for the State submits that the dispute, in question, is purely a civil dispute and no bona fide representation has been filed by the petitioner regarding protection of his life and liberty before the police authorities.
6. This Court is aware that the dispute between the petitioner and the private respondents, including his sons, appears to be a civil dispute. However, the grievance of the petitioner that the private respondents, including his sons, are threatening the petitioner of his life and liberty, for which, in my opinion, the petitioner may file a representation before the Senior Superintendent of Police, Buxar, seeking protection of his life, liberty and property.
7. Accordingly, this writ application is disposed with liberty to the petitioner to file a representation before the Senior Superintendent of Police, Buxar, in this regard and if such a representation is filed, the Senior Superintendent of Police, Buxar, is directed to look into the matter and decide the same in accordance with law.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

U	✓		
---	---	--	--

