

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.110 of 2023

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

Om Prakash Chaudhary @ Om Prakash Jaiswal Son Of Late Panna Lal Chaudhary R/O Vill.- Kalyanpur Basti, Station Road, Near Kali Mandir, P.S.- Mohiuddin Nagar, Distt.- Samastipur

... .. Petitioner

Versus

1. The State Of Bihar, Through The Director General Of Police, Bihar, Patna
2. The Principal Secretary, Dept. Of Home Bihar, Patna
3. The District Magistrate, Samastipur
4. The Superintendent Of Police, Samastipur
5. The Deputy Superintendent Of Police, Samastipur
6. The S.H.O., Mohiuddin Nagar
7. Krishna Kumar Chaudhary Son Of Shivji Chaudhary R/O Vill.- Kalyanpur Basti, Station Road, Near Kali Mandir, P.O. And P.S.- Mohiuddin Nagar, Distt.- Samastipur

... .. Respondents

Appearance :

For the Petitioner/s	:	Mr. Surendra Kumar Mishra, Advocate
For the Respondent/s	:	Mr. Md. Iqbal Asif Niazi, AC to GP-5
		Mr. Sunil Kumar Thakur, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 10-10-2023 Heard learned counsel for the parties.

2. Petitioner is complaining of a threat to him through respondent no.7. He is seeking protection from the respondent no.7 who is allegedly rigid to oust the petitioner from his residential house.

3. Learned counsel for the State as well as the learned counsel for the respondent no.7 are present.

4. A counter affidavit has also been filed. From the



counter affidavit it appears that the dispute between the parties is over the measurement and demarcation of a piece of land purchased by respondent no.7 through registered sale deed from three brothers of the petitioner. According to the counter affidavit, the Station House Officer, M. Nagar (respondent no.6) was himself present on the spot for maintaining law and order and no one was making pressure upon the petitioner to vacate the residential house.

5. It is further stated that the petitioner has not filed any complaint before the Station House Officer.

6. On perusal of the counter affidavit it appears that the matter is well within the knowledge of the Station House Officer, M. Nagar and an inquiry has also been conducted into the matter. The police is prima-facie of the view that the allegations made by the petitioner are false, concocted and devoid of truth.

7. In the circumstances, this Court finds no reason to proceed with the present writ application and is dismissed accordingly.

(Rajeev Ranjan Prasad, J)

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