

05 07.07.2023
NB Ct. 14

WPA 14577 of 2023

Jagajit Bhakta
Vs.
The State of West Bengal & Ors.

Mr. Sourav Mondal.
...for the petitioner.

Mr. Amal Kr. Sen Id. AGP,
Mr. Lal Mohan Basu.
....for the State.

This is an application under Article 226 of the Constitution of India praying for a direction upon the respondent nos.2 and 3 to take steps against the respondent nos.4 to 6 along with other accused persons and give direction to protect the life and property of the petitioner and his parents.

A compliance report filed on behalf of the State is taken on record.

Learned senior counsel appearing on behalf of the petitioner submits as follows. The petitioner is a candidate in the ensuing Panchayat Elections and has filed nomination before the returning officer, BDO, Shyampur-I from the Balichaturi Panchayat Samity. Soon thereafter, the members of the ruling party threatened and intimidated him. After the writ petition was filed, they also threatened him to withdraw the instant writ petition. The petitioner could somehow flee from his house and from the clutches of the private respondents and is now living in Kolkata. On 21.06.2023, the respondent authorities were directed to provide appropriate security to the petitioner. Some

security was provided with the help of which the petitioner was able to return home. But, he apprehends that immediately after the election is over, he will be attacked again and his life at risk. He prays that the security provided may continue for some more time.

Learned Additional Government Pleader representing the State submits as follows. A direction passed by this Court was duly complied by the respondent authorities. Round the clock police picket is placed in front of the house of the petitioner at Maheswarpur area under the Shyampur Police Station. The concerned respondents are in touch with the petitioner on regular basis. The petitioner's security is further ensured by providing escort in his regular movement in different places like political canvassing for the election and the life. A sharp vigil is also being kept over the area by plying special patrolling team, RT mobile.

I have heard the submissions of the learned counsels appearing on behalf of the parties and have perused the writ petition and the compliance report filed by the State.

It appears that the prime grievance of the petitioner has been substantially redressed. Adequate police security has been provided to the petitioner as directed by this Court.

However, the petitioner's apprehension is not ill founded that immediately after the election he may be again targeted with some kind of attack.

Therefore, in the interest of justice, this Court directs that the security arrangements provided to the petitioner may continue for a period of ten days from the date of election i.e. 08th July, 2023.

With these observations, the writ petition is disposed of.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)