

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9177 of 2024

Visuni Bhagat S/o- Mahangu Bhagat Residence of Village Senduari Gaj Singh, P.S- Motipur, District- Muzaffarpur, Bihar-843111.

... .. Petitioner/s

Versus

1. The State of Bihar through its Additional Chief Secretary, Home Department, Government of Bihar, Sardar Patel Bhawan, Patna, Bihar.
2. The Additional Chief Secretary, Home Department, Government of Bihar, Sardar Patel Bhawan, Patna, Bihar.
3. The Director General of Police, Govt. of Bihar, Patna.
4. The District Magistrate, Muzaffarpur, Office of the District Magistrate, Collectorate Campus, Muzaffarpur.
5. The Senior Superintendent of Police, Muzaffarpur, Company Bagh Road, Muzaffarpur, Bihar.
6. The Circle Officer, Motipur Anchal, Muzaffarpur, Bihar.
7. The Station House Master, Motipur Police Station, Muzaffarpur, Bihar.
8. Jamadar Rai S/o- Balchand Rai R/o- Village Senduari Gaj Singh, House No.19, P.O- Bakhari, P.S and Anchal- Motipur, District- Muzaffarpur, Bihar-843111.
9. Malti Devi W/O Jamadar Rai R/o- Village Senduari Gaj Singh, House No.19, P.O- Bakhari, P.S and Anchal- Motipur, District- Muzaffarpur, Bihar-843111.
10. Anand Bhushan Shankar S/o Jamadar Rai R/o- Village Senduari Gaj Singh, House No.19, P.O- Bakhari, P.S and Anchal Motipur, District- Muzaffarpur, Bihar 843111.
11. Shashi Bhushan Shankar S/o Jamadar Rai R/o- Village Senduari Gaj Singh, House No.19. P.O- Bakhari, P.S and Anchal- Motipur, District- Muzaffarpur, Bihar-843111.
12. Vijay Bhushan Shankar S/o Jamadar Rai R/o- Village Senduari Gaj Singh, P.O- Bakhari, P.S and Anchal- Motipur, District- Muzaffarpur, Bihar 843111.
13. Anandi Ram S/o Jaleshwar Ram R/o- Village Senduari Gaj Singh, P.O- Bakhari, P.S and Anchal- Motipur, District- Muzaffarpur, Bihar-843111.
14. Mukesh Rai S/o Baidya Nath Rai R/o- Village Senduari Gaj Singh, P.O- Bakhari, P.S and Anchal- Motipur, District- Muzaffarpur, Bihar-843111.



... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Avinash Kumar, Advocate
Mr. Abhishek Kumar Pandey, Advocate
For the Respondent/s : Government Pleader 4

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 25-07-2024 The present writ petition has been filed
seeking the following reliefs:-

"1 (i). For directing the Respondent No. 1 to 6 to give the protection of life and property in the earnest to the Petitioner as he is aged about 62 years and comes under the category of senior citizen under the provision of special law framed by the State of Bihar i.e. the Bihar Maintenance & Welfare of Parents & Senior Citizens Rules, 2012 published in Bihar Gazette 471 dated 12.09.2012, under rule 22 of the said law.

ii. For the issuance of an appropriate writ of Mandamus or any other appropriate writ(s) or order(s) or direction(s) directing Respondent Nos.1 to 6 to remove the Respondent No.8 to 14 from the land of the petitioner bearing admeasuring 88 Decimals, bearing Khata No.218, Khesra No. 1090, Thana No.211, Village - Senduari Gaj Singh, P.O- Bakhari, P.S & Anchal Motipur, District- Muzaffarpur as the Respondent No.7 to 13 with his associates have forcibly captured the



land of Petitioner by giving him life threat and are continuing over the land by constructing a temporary boundary wall on the land belonging to the petitioner and has threatened the petitioner not to be seen near his land;

iii. For direction upon the Respondents Nos.1 to 6 to ensure that the land of the petitioner is restored back in his possession as the Respondent No. 4 & 5 to 6 have failed to discharge their duty to protect the life and property of the citizens within their jurisdiction as because of their failure the Respondent No.8 was not restrained when he forcibly with his armed associates captured and possessed the land in broad day light but no action was taken by these respondents in spite of repeated requests and representations by the petitioner to protect its property to ensure that its possession is restored back to the Petitioner;"

2. After some arguments, the learned counsel for the petitioner seeks not to press the present writ petition, however, seeks liberty on behalf of the petitioner to avail such other alternative remedies as are otherwise available under the law. Liberty, so sought, is granted.



3. The writ petition stands disposed
off.

(Mohit Kumar Shah, J)

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