

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.99 of 2023

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

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Baijnath Rai S/O Late Bundela Rai Resident of Village- Jaganpura, Ram Krishna Nagar, P.S.- Phulwarisharif, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Land Reform And Revenue Department, Govt. Of Bihar Patna. Bihar
3. The District Magistrate, Patna. Bihar
4. The Sub-Divisional Officer, Patna. Bihar
5. The Circle Officer, Patna. Bihar
6. The Officer-In-Charge, Ram Krishna Nagar, P.S Phulwarisharif, Patna. Bihar
7. Vishal Kumar S/O Late Dinesh Sharma Resident of M.I.G. 223, Janki Nagar, Hanuman Nagar, P.S.- Kankarbagh, District- Patna.
8. Suman Jha S/O Not Known Resident of M.I.G. 223, Janki Nagar, Hanuman Nagar, P.S.- Kankarbagh, District- Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Ms. Shashi Priya, Advocate Mr.Rakesh Kumar Singh, Advocate
For the State	:	Mr. Navnit Kumar, AC to GP-18

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 04-01-2024 Heard learned counsel for the petitioner and the State.

2. Petitioner in this case is seeking a direction to the respondent authorities to get vacated his raiyati land situated in Mauza Jaganpura, Revenue Thana-Phulwarisharif bearing Khata No.26, Khesara No.1145 comprising an area of 51 decimal.

3. It is the case of the petitioner that the said land has been captured by one Vishal Kumar and Suman Jha both residents of M.I.G. 23, Janki Nagar, Hanuman Nagar, P.S.-

Kankarbagh, District-Patna with the help of the criminals. It is alleged that in the process the petitioner and his entire family have been beaten up.

4. Learned counsel for the petitioner having understood that this Court would not go into the private disputes between the two individuals, confined her submissions to the effect that the alleged occurrence in which land of the petitioner has been forcefully captured was, though, reported to the Senior Superintendent of Police, Patna and on several occasions representations have been given to the office of the Senior Superintendent of Police, Patna and to the officer in-charge of Ramkrishna Nagar Police Station but nothing has been done.

5. Learned counsel for the State is present and submits that the dispute between the petitioner and the private respondents seems to be in private law domain.

6. Having regard to the facts and circumstances of the case, this Court is of the considered opinion that whatever be the dispute between the parties, if the petitioner has come out with a submission that he has been forcibly dispossessed and his land has been captured by someone with the help of the criminals, such allegations are required to be looked into and investigated upon. This Court finds that there are several representations of

the petitioner including the representation submitted to the office of Senior Superintendent of Police, Patna and the officer in-charge of Ramkrishna Nagar Police Station, Patna.

7. Without going into the merit of the allegations and the contentions, at this stage, this Court would direct the Senior Superintendent of Police, Patna to get the complaints lodged by the petitioner properly verified and in case the materials are found to indicate commission of a cognizable offence, appropriate order be passed in accordance with law. Let the entire exercise be completed within a period of one month from the date of receipt/production of a copy of this order.

8. This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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