

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1267 of 2024

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1. Shashi Bhushan Thakur S/o Late Jay Nandan Thakur, Resident of Village- Harpur Thakur Tola, P.O.- Pusha, Police Station- Pusha, District- Samastipur, Pin-848125.
 2. Dr. Bharat Bhushan Thakur, S/o Jay Nandan Thakur, Resident of Village- Harpur Thakur Tola, P.O.- Pusha, Police Station- Pusha, District- Samastipur, Pin-848125.
 3. Ravi Bhushan Thakur, S/o Late Jay Nandan Thakur, Resident of Village- Harpur Thakur Tola, P.O.- Pusha, Police Station- Pusha, District- Samastipur, Pin-848125.

... .. Petitioner/s

Versus

1. The State of Bihar through District Magistrate Samastipur.
2. The District Magistrate, Samastipur.
3. The Superintendent of Police, Samastipur.
4. The Sub-Divisional Officer, Samastipur.
5. The Station House Officer, Pusha (Samastipur).
6. Bipin Kumar Thakur, S/o Devendra Thakur, Resident of Village- Harpur Thakur Tola, P.O and P.S- Pusha, District- Samastipur.
7. Krishnakant Thakur, S/o Devendra Thakur, Resident of Village- Harpur Thakur Tola, P.O and P.S- Pusha, District- Samastipur.
8. Vikash Thakur, S/o Bipin Thakur, Resident of Village- Harpur Thakur Tola, P.O and P.S- Pusha, District- Samastipur.
9. Ramchandra Thakur, S/o Mahendra Thakur, Resident of Village- Harpur Thakur Tola, P.O and P.S- Pusha, District- Samastipur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar, Advocate
For the Respondent/s : Mr.Anjani Kumar, AAG-4

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 02-05-2024 Heard learned counsel for the petitioners and the State.

2. The petitioners have prayed for the following reliefs:

(i) for issuance of an appropriate writ directing the official



respondents to provide protection from the nuisance of private respondents from interfering with the peaceful possession of the lands of the petitioner of Khesra No. 707 of Khata No. 124, Khesra No. 708, Khata No.231 situated at Mauza Harpur Thakur Tola within the district of Samastipur.

3. Learned counsel for the petitioners submit that in view of the criminal nature of the respondent nos. 6 to 9, they apprehend injuries to the family. In that background, the petitioners repeatedly approached the SHO, Pusa, Police Station, Samastipur on 20.3.2023 and when they once again created nuisance on 7.10.2023, the SHO was approached, they duly received petition and stamped it (Annexure-5) but chose to look to other way. The said fact has been incorporated in paras-6 and 7.

4. The learned State Counsel submits that in case, there is apprehension of breach of peace, the Police either on an application or even suo moto has the duty to move to the site and take necessary remedial measure. He submits that in case,



the allegation of the petitioners are correct, it is a serious matter.

5. Learned counsel for the petitioners submit that they will be apprising the Superintendent of Police, Samastipur bringing to his notice the inaction of the SHO, Pusa Police Station, Samastipur.

6. Learned State Counsel submits that in case, they approach the Superintendent of Police, Samastipur, he shall be taking up necessary steps accordingly.

7. In that background, in case, the petitioners approach the Superintendent of Police, Samastipur in next two weeks, the Superintendent of Police, Samastipur shall look into the matter as also the documents (Annexure-5 to the writ petition) dated 20.3.2023 addressed to SHO, Pusa, Police Station, Samastipur duly stamped by the said Police Station and shall ensure that the SHO, Pusa P.S. acts in accordance with law and take remedial measure to maintain peace in the area much less on the site in question.

8. The writ petition stands disposed of.

(Rajiv Roy, J)

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