

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.222 of 2022

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

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Ramawati Devi W/o Bunilal Singh R/o Village- Bankawan, P.O.- Rasauli,
P.S.- Panapur, District- Saran at Chapra

... .. Petitioner/s

Versus

1. The State Of Bihar Through The Chief Secretary, Govt. Of Bihar, Old Secretariat, Patna Bihar.
2. The Additional Cheif Sect./Principal Sect., Dept. of Home, Govt. of Bihar, Old Secretariat, Patna Bihar
3. The Additional Chief Sect./Principal Sect. Dept. of Revenue and Land Reforms, Govt. of Bihar, Old Secretariat, Patna, Bihar
4. The Director General of Police, Bihar, Sardar Patel Bhawan, Bailey Road, Patna Bihar
5. The Collector-cum-District Magistrate, Saran at Chapra Bihar
6. The Superintendent of Police, Saran at Chapra Bihar
7. The Sub-Divisional Officer, Maraurah, Saran Bihar
8. The Deputy Collector, Land Reforms, Marhaurah, Saran Bihar
9. The Sub-Divisional Police Officer, Marhaurah, Saran Bihar
10. The Circle Officer, Panapur, Saran at Chapra Bihar
11. The Station House Officer, Panapur, Saran at Chapra Bihar
12. Krishna Bhagat S/o Pradumn Bhagat R/o village- Bankawan, P.O.- Rasauli, P.S.- Panapur, District- Saran at Chapra
13. Munna Bhagat S/o Pradumn Bhagat R/o village- Bankawan, P.O.- Rasauli, P.S.- Panapur, District- Saran at Chapra
14. Raju Bhagat S/o Pradumn Bhagat R/o village- Bankawan, P.O.- Rasauli, P.S.- Panapur, District- Saran at Chapra

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Jeetendra Narayan, Advocate
For the Resp. State	:	Mr. Deepak Kumar, AC to GP-4
For the Res. Nos. 12 to 14 :	:	Mr. Shekhar Harshvardhan, Advocate

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

7 30-10-2025 Heard learned counsel for the petitioner as well as

learned counsel for the respondents-State and learned counsel



for the respondent nos. 12 to 14.

02. Learned counsel for the respondent nos. 12 to 14 submits that a counter affidavit has been filed and Annexure-R/A to the said counter affidavit shows there is land dispute between the parties and preventive action has been taken against both the parties. It also transpires from the same annexure that the dispute over the land is between agnates and the petitioner has claimed the said land through one of the agnates who transferred the same to some other person but even the claim of said person is disputed by the respondent nos. 12 to 14.

03. Learned counsel appearing on behalf of respondents-State supports the submission made on behalf of respondent nos. 12 to 14 and further submits that there is land dispute between the parties and the petitioner may be directed to take recourse of appropriate proceeding before the civil court.

04. However, learned counsel for the petitioner submits that the petitioner has purchased the land from one Punyadev Ray vide sale deed nos. 3397/3376 and 3398/3377 dated 29.07.1991 and since her possession is being disturbed by the private respondents, the present writ petition has been filed in order to ensure the protection of her life and property.

05. Perused the record.



06. From perusal of record, I find that a report has been submitted before the Public Grievance Redressal Authority by the concerned police officer mentioning therein that over the property mentioned in the writ petition, there is land dispute between the parties and both the parties are agnates. Both parties claim the land. It also appears that the second party claimed before the police authority that the vendor of the petitioner has got the land through one Punyadev Ray, which is said to be illegal by the other-side.

07. Be that as it may, when there is a disputed question over the title and possession of the property, there is no occasion for this Court to intervene in the matter in criminal writ jurisdiction except for observing that the lawful possession of any person should be protected and threat to life and property of any citizen of this country being a threat to exercise of his fundamental rights, it becomes the duty of the State authorities to protect such right under its sacrosanct duty. Therefore, finding the civil nature of dispute being the subject matter in the present writ petition, I am not inclined to further proceed in the matter in the light of land dispute between the parties and the petitioner may have recourse of law in appropriate proceeding before appropriate forum to establish her right with regard to



subject matter of the property. At the same time, the authorities concerned are directed to ensure protection of life and property of the petitioner, in accordance with law.

08. Accordingly, the present criminal writ petition stands disposed of.

(Arun Kumar Jha, J)

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