

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.346 of 2021

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

Sidhidatri Sinha Rituvamadhar, W/O Azat Shatru, D/O Late Shashankdhar Prasad Singh, R/O Sidhidatri Villa, Rampur Road, P.S-Bahadurpur, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through The Home Secretary, Govt. of Bihar, Patna.
2. The Director General of Police, Govt. of Bihar, Patna.
3. The District Magistrate, Patna.
4. The Senior Superintendent Of Police, Patna.
5. The Superintendent of Police (rural), Patna.
6. The Assistant Superintendent of Police, Barh, Patna.
7. The Officer-In-Charge, Bakhtiyarpur Police Station, District-Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh
For the Respondent/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

10 01-09-2025 The present Criminal writ petition has been preferred by the petitioner seeking direction to the State Respondent Authorities to provide adequate security to the petitioner for protection of her life and liberty as well as his property from the unsocial elements situated at Mauza Bakhtiyarpur, Mohalla Purani Bazar, near B.S.A. Gun Factory, Ward No. 4.

2. As per Annexure-3, the grievance of the petitioner is that he has been forcibly evicted from his some private property by private respondents in conspiracy with each other and when he requested the private respondents to evict such



property which is godown and shop, they are asking for Rs. 10,00,000/- for handing over the possession. As such, problem facing the petitioner is forceful eviction from his landed property.

3. In such situation, the petitioner has efficacious remedy by way of suit for possession or even an appropriate suit under Section 6 of Specific Relief Act. He has also remedy by way of approaching the Executive Magistrate under Section 145 Cr.PC to get back possession of the property if he was already in possession of the property and he has been forcibly evicted from the property

4. In view of the aforesaid facts and circumstances, I am of the considered view that the present petition is not maintainable.

5. At this stage, learned counsel for the petitioner is seeking permission to withdraw the present petition with liberty to take appropriate legal remedy as per law. In case, he files application before learned Executive Magistrate under Criminal Procedure Code, an order will be passed by the Executive Magistrate as per law within a reasonable time.

6. Permission is accorded.

7. Accordingly, the present petition is dismissed as



withdrawn with aforesaid liberty as sought for.

(Jitendra Kumar, J)

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