

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.480 of 2025

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

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Lal Bihari Singh Son of Late Ram Narayan Prasad Singh @ Late Ram
Narayan Singh, R/o -Village- Pasraha, P.S - Pasraha, District - Khagaria

... .. Petitioner/s

Versus

1. The State of Bihar Through District Magistrate, Khagaria Bihar
2. The Superintendent of Police, Khagaria Bihar
3. The Station House Officer, Pasraha Police Station (District Khagaria) Bihar

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Amit Kumar, Advocate
For the Respondent/s : Mr. S.C.25

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CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

2 03-04-2025 The petitioner has approached constitutional jurisdiction of this Court under Article 226 of the Constitution making a grievance to the effect that some anti-social elements forcibly cut a growing crops from his land which has been harvested by him.

2. It is submitted by the learned Advocate appearing on behalf of the petitioner that the petitioner is a senior citizen. The petitioner is entitled to get protection of the administration, so that he could enjoy his life and property. The learned Advocate on behalf of the petitioner refers to various provisions of Maintenance and Welfare of Parents and Citizens Act, 2007 and Rules made by the State of Bihar thereunder. However, the



said Act and Rules operate absolutely on different sphere and the petitioner cannot get any advantage of the said Act to protect grown crops of his land.

3. It is stated by the petitioner that he had sown the crops but some miscreants and local hooligans had cut-away the crops. Surprisingly enough, those persons were not made respondents in the instant writ petition.

4. Be that as it may, if the petitioner has any such grievance, it is open for him to file appropriate application under Section 144 of the CrPC. No such application has been filed by the petitioner to prevent breach of peace. This Court is constraint to note that when efficacious relief is available in alternate proceeding, writ court cannot entertain any application under Article 226 of the Constitution.

5. In view of the above discussion, the instant writ petition is disposed of giving liberty to the petitioner to take appropriate step in accordance with law to protect his crops.

(Bibek Chaudhuri, J)

Suraj Dubey/-

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