

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1585 of 2019

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

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1. Mithilesh Kumar Bhagat, S/o Late Ram Lakhan Bhagat, Resident of Village-Bahiropatti Far, Ram Krishna Nagar, P.O.- Milki Chak, P.S.- Bahadurpur, District- Darbhanga.
 2. Vishnu Kumar Bhagat, S/o Late Ram Lakhan Bhagat, Resident of Village-Bahiropatti Far, Ram Krishna Nagar, P.O.- Milki Chak, P.S.- Bahadurpur, District- Darbhanga.
 3. Arun Kumar Bhagat, S/o Late Ram Lakhan Bhagat, Resident of Village-Bahiropatti Far, Ram Krishna Nagar, P.O.- Milki Chak, P.S.- Bahadurpur, District- Darbhanga.
 4. Anjani Kumar Bhagat, S/o Late Ram Lakhan Bhagat, Resident of Village-Bahiropatti Far, Ram Krishna Nagar, P.O.- Milki Chak, P.S.- Bahadurpur, District- Darbhanga.
 5. Ujjwal Kumar Bhagat, S/o Late Ram Lakhan Bhagat, Resident of Village-Bahiropatti Far, Ram Krishna Nagar, P.O.- Milki Chak, P.S.- Bahadurpur, District- Darbhanga.
 6. Rita Rani Bhagat, W/o Prabhat Kumar Bhagat, Resident of Village-Bahiropatti Far, Ram Krishna Nagar, P.O.- Milki Chak, P.S.- Bahadurpur, District- Darbhanga.

... .. Petitioner/s

Versus

1. The State Of Bihar through The Principal Secretary, Dept. Of Home, Govt. Of Bihar, Patna. Bihar, Patna.
2. The Director General of Police, Bihar, Patna. Bihar, Patna.
3. The District Magistrate, Samastipur.
4. The Superintendent of Police, Samastipur.
5. Sub- Divisional Officer Sadar, Samastipur.
6. The Deputy Superintendent of Police, Samastipur.
7. The Circle Officer, Khanpur, District- Samastipur.
8. The Station House Officer, Khanpur Police Station, District- Samastipur.
9. Phool Kumari Bhagat, Wife of Ganesh Bhagat, Resident of Village and P.O.- Tilmasnagar, P.S.- Khanpur, District- Samastipur.
10. Chandeshwar Bhagat, Son of Anil Kumar Bhagat, R/o Ilmasnagar, P.S.- Khanpur, District- Samastipur.
11. Kundan Kumar Bhagat, Son of Anil Kumar Bhagat, R/o Ilmasnagar, P.S.- Khanpur, District- Samastipur.
12. Shanti Chaurasiya, W/o Ganesh Chaurasiya, R/o Village- Hasa, P.S.- Warisnagar, District- Samastipur.

... .. Respondent/s



Appearance :

For the Petitioner/s	:	Mr. Bijay Bhushan Prasad, Advocate. Ms. Rani Shashi Bharti, Advocate.
For the State	:	Mr. Sheo Shankar Prasad, SC-8 Mr. Sanjay Kumar, AC to SC-8
For the Respondent Nos. : 1 to 12	:	Dr. Uma Shankar Singh, Advocate Mr. Dilip Kumar Roy, Advocate.

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

6 04-12-2025 The present writ petition has been preferred for direction to Police respondents authorities to protect the life and property of the petitioners. The petitioners are also seeking direction to the respondent authorities to act upon the order of learned Civil Judge, Senior Division III, Samastipur, who by his order dated 2.5.2014 in Misc. No. 69 of 2014 directed the Station House Officer of Khanpur Police Station to ensure the implementation of injunction order dated 14.12.2013 as modified vide order dated 7.2.2014 in Title Suit No. 376 of 2013.

2. Heard learned counsel for the petitioners, learned counsel for the State as well as learned counsel for the private respondent Nos. 9 to 12.

3. Apparently, the present writ petition is misconceived. In fact, the petitioners are seeking execution of the injunction order passed by learned Civil Judge, Senior Division III, Samastipur, passed in Title Suit No. 376 of 2013.

4. It appears from the averment of the petitioners that



even Police authority is not complying with the order of learned Civil Judge, Senior Division III, Samastipur. As such, they are committing contempt of the Civil Court.

5. In such situation, the efficacious remedy available to the petitioner is to move the concerned Civil Judge for execution of the order and in case of defiance of any order by any authorities, he can move for contempt of the Court.

6. If such application is filed by the petitioners before learned Civil Court, the Civil Court will take it seriously and do the needful as per law, expeditiously.

7. Accordingly, the present petition stands disposed of.

(Jitendra Kumar, J)

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