

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.13 of 2024

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

Mahendra Kumar Son Of Ravindra Kumar R/O Village- Turi Khurd, Post-Jaindapur, P.S.- Magadh University, Bodhgaya, Dist.- Gaya (Bihar)

... .. Petitioner/s

Versus

1. The State Of Bihar Through Principal Secretary, Dept. Of Home, Patna Bihar
2. The Director General Of Police, Bihar Patna
3. The Inspector General Of Police, Magadh Range, Gaya Bihar
4. The District Magistrate, Gaya Bihar
5. The Superintendent Of Police, Gaya Bihar
6. The Sub-Divisional Officer, Sadar, Gaya Bihar
7. The S.H.O., Bodh Gaya Police Station, Dist.- Gaya Bihar
8. Md. Zeshan Hasan Khan, Director M/S Haywood Real Estate Pvt. Ltd. Son Of Md. Ishrar Hasan Khan R/O Mohalla- Khajoor Bana Backside Of Chaudhary Tola Petrol Pump, P.S.- Sultanganj, Dist.- Patna

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Amarendra Narayan
For the Respondent/s : Mr. G.P.18
For the Res. No.8 : Mr. Sajid Salim Khan, Sr. Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 14-07-2025 Heard the learned counsel for the petitioner, learned counsel for the State and the learned counsel for the Respondent No. 8.

2. This writ petition is being filed for issuance of writ of appropriate nature commanding respondents to provide proper safety and security to the life and the properties of the petitioner, who is constantly facing threat of life and whose property is being encroached and grabbed by the respondent



no.8, who wants to construct Apartments on this land illegally, forcefully and without consent of the petitioner or his family members. The official respondents despite information, and receipt of application as well as legal notices of the petitioner, are not taking proper steps to institute any FIR against the Respondent No. 8 and provide security to the petitioner. Also for registration of an F.I.R. against the private respondent (respondent no. 8 and his men) for the offences committed by them on 10.09.2023 and who are constantly threatening petitioner for which the petitioner has approached the S.H.O., Bodhgaya as well as office of the Superintendent of Police by filing applications by registered posts also but till date no action has been taken on it.

3. The contention of the learned counsel for the petitioner is that the Respondent No. 8 has forcefully captured the land and is making an apartment on the land in dispute.

4. The learned Senior Counsel for the Respondent No. 8 has submitted that the Respondent No. 8 has entered into an agreement with the landowner and construction is going on. He further submits that Title Suit No. 894 of 2023 has been filed by the petitioner claiming title over the land.

5. In these circumstances, this application is disposed



of with liberty to the petitioner to take appropriate steps in the Title Suit by way of filing an injunction petition in the concerned Court below.

6. If any injunction petition is filed in the Title Suit No. 894 of 2023, the Court concerned will dispose of the same in accordance with law within 15 days of its filing, as the Respondent No. 8 has already appeared in the title suit.

(Sandeep Kumar, J)

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