

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7787 of 2025

Nazrul Hasnain alias Syed Nazrul Hasain Son of Late Anzar Hasnain,
Resident of Village- Gurua, P.S- Gurua, District- Gaya, Presently residing at
4A White House Compound, Police Station- Rampur, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary Home Department, Bihar, Patna.
2. The Superintendent of Police, Gaya.
3. The Officer-In-Charge, Gurua, P.S. District Gaya.
4. The Circle Officer, Sub Division Sherghatty, Anchal Gurua, P.S. Gurua, District Gaya.
5. Jadu Yadav Son of Ganeshi Yadav, R/o Village Domiya Tola Kasiadih P.S. Gurua, District- Gaya.
6. Papu Yadav Son of Jadu Yadav, R/o Village Domiya Tola Kasiadih P.S. Gurua, District- Gaya.
7. Ramji Yadav alias Mithan Prasad Yadav Son of Ganeshi Yadav, R/o Village Domiya Tola Kasiadih P.S. Gurua, District- Gaya.
8. Santu Yadav Son of Ramji Yadav alias Mithan Prasad Yadav, R/o Village Domiya Tola Kasiadih P.S. Gurua, District- Gaya.
9. Krishna Yadav Son of Satendra Yadav, R/o Village Domiya Tola Kasiadih P.S. Gurua, District- Gaya.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Gopal Jee, Advocate

For the Respondent/s : Mr. Rana Veer Prawar, AC to GP 6

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 12-05-2026 Heard the parties.

2. The present writ petition has been preferred for
grant of following relief(s):-

*“for directing the respondents to
remove all illegal encroachment and any
structure if found from the land of the
petitioner made by Respondent No. 5 to 9 by
issuance a writ of mandamus or any writ or
writs, order or orders, direction or
directions.”*



3. The State has taken this Court to the counter affidavit filed on behalf of respondent no. 2 and paragraph 10 and 11 read as under:

“10. That it is stated that, as per the report, certain villagers had raised construction over the said disputed land. Thereafter, a complaint was submitted before the concerned police station, and upon due verification, the police authorities intervened and stopped the said construction work.

11. That it is stated that preventive action has been taken under section 126 of the BNSS, 2023, and a Non-FIR has been instituted vide Non-FIR No. 13/2024 dated 04.07.2024. Further, preventive action under section 163 of the BNSS, 2023 has also been taken against both parties to maintain peace and tranquility between them.”

4. Taking into the account the aforesaid fact that the respondents have already taken steps, preventive action has been taken u/s 126 of the BNSS and Non-FIR was instituted vide No. 13/2024, allowing the petitioner to agitate the matter with the private respondent, the writ petition is disposed of.

(Rajiv Roy, J)

Ranjeet/-

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