

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Writ Jurisdiction Case No.1014 of 2022**

Nilendu Kumar Jha S/o Dhirendra Jah, Resident of Village- Patuaha, P.O.-  
Patuaha, P.S.- Saharsa, District- Saharsa.

... .. Petitioner

Versus

1. The State of Bihar, through the Additional chief Secretary, Deptt. of Home, Govt. of Bihar, Patna. Bihar
2. The Director General of Police, Government of Bihar, Patna. Bihar
3. The Inspector General of Police Bihar
4. The Deputy Inspector General of Police, Koshi Division, Saharsa. Bihar
5. The Superintendent of Police, Saharsa Bihar
6. The Deputy Superintendent of Police, Saharsa Head Quarter, P.S.- Saharsa. Bihar
7. The S.H.O. SC/ST, P.S. Saharsa. Bihar
8. Laxmi Narayan Jha @ Sohan Jha S/o Late Digamber Jha Resident of D.B. Road, Anurag Gali, Saharsa, P.S. and District- Saharsa.
9. Mukesh Kumar Sharma S/o Late Siya Ram Sharma Resident of Village- Patuaha, P.O. Patuaha, P.S.- Saharsa, District- Saharsa.
10. Anish Kumar S/o Krishna Mohan Mishra Resident of Village- Sihaul, P.S.- Bihara, District- Saharsa.
11. Gulab Devi W/o Rajendra Sharma Resident of Village and Post- Patuaha, P.S.- Saharsa, District- Saharsa.
12. Suresh Sharma S/o Late Prayag Sharma Resident of Village- Patuaha, P.S.- Saharsa, District- Saharsa.
13. Amit Kumar S/o ----- Resident of Village and P.O. Basnahi, P.s.- Sonbarsa Raj, District- Saharsa.
14. Sujeet Mishra S/o Late Kishore Mishra Resident of Village- Godh Bardaha, P.S.- Gheladh, District- Madhepura.
15. Dayanand Jha S/o Late Shambhunath Jha Resident of Village and Post- Patuaha, P.S.- Saharsa, District- Saharsa.
16. Bibhuti Kumar S/o Satyanarayan Jha Resident of Village and Post Patuaha, P.S.- Saharsa, District- Saharsa.
17. Bhumi Sharma S/o Late Saryug Sharma Resident of Village and Post- Patuaha, P.S.- Saharsa, District- Saharsa.
18. Sanjeet Kumar S/o Manoj Singh Thakur Resident of Village and Post Patuaha, P.S.- Saharsa, District- Saharsa.
19. Madav Kumar Jha S/o Late Shiv Shankar Jha Resident of Village and Post- Patuaha, P.s.- Saharsa, District- Saharsa.
20. Papu Yadav S/o Sita Ram Yadav Resident of Village and Post- Patuaha, P.S.- Saharsa, District- Saharsa.
21. Shakti Kumar S/o Late Bhushan Sharma Resident of Village and Post- Patuaha, P.S.- Saharsa, District- Saharsa.

... .. Respondents



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**Appearance :**

For the Petitioner/s : Mr. Suraj Kumar, Advocate  
Mr. Vijay Kumar Mukul, Advocate  
Mr. Pramod Mishra, Advocate  
For the Respondent/s : Mr. Iqbal Asif Niazi, AC to GP-5

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**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA**  
**ORAL ORDER**

8      19-02-2026      Heard learned counsel for the parties.

2. The present writ petition has been filed seeking following reliefs:

*“Issuance of any appropriate order / orders direction / directions or writ / writs commanding and directing respondents concerned to provide security of the life and property of the petitioner as also to hold a proper enquiry and investigate the false case registered against the petitioner by the private respondent specially Respondent No. 8 as the said respondents by taking into influence and conspiracy with all named private respondents use to lodge false cases such as Saharsa SC/ST P.S. Case No. 9/2022, Sour Bazar P.S. Case No. 212/2022, Mahila P.S. -(Saharsa) case no. 25/2022, Bihera P.S. Case No. 87/2022 etc. only with a view to make a pressure upon the petitioner to sale his lands in the hand of respondent no. 8, who is a land Mafiya and criminal minded persons and in connivance with all other named private respondent he use to file false cases against innocent persons of the village and his locality, so that they may succumb and sale of their lands in hand of said Lakshmi Naraya Jha @ Sohan Jha, whereas said Sohan Jha himself is named accused in several criminal cases of serious nature including fraud and forgery; And / or any other relief / reliefs for which the petitioner is found entitled to in the facts and circumstances of the case.”*

3. Learned counsel for the State respondent submits



that the matter was investigated and in the counter-affidavit of the State respondent, the following facts have been brought to the notice of this Court:

*“10. That likewise, the Saharsa Mahila P.S Case No. 25 of 2022 vide Annexure-2 was lodged on the basis of a written petition of one Gulab Devi against the petitioner and others but on investigation and supervision the case was found to be false and final Report Vide No. 43/2022 dated 05.10.2022 was submitted in the case as false.*

*11. That similarly, Saharsa S.C/S.T P.S Case No.-09/2022 vide Annex-3 has been found to be true under Section 341, 323, 447, 427, 504, 506 &34 of the Indian Penal Code and under Section 3(1)(r)(s) (e) of the SC/ST Act against the writ petitioner and others.*

*12. That similarly, Saurbazar (Bajinathpur) P.S Case No. 212/2022 dated 24.04.2022 was registered under Section 341, 323, 379, 384, 504, 506 &34 of the Indian Penal Code on the basis of a written petition of one Anish Kumar and after investigation and supervision the case has been found true under Section 341, 323, 385, 504, & 34 of the Indian Penal Code against the petitioner and others.*

*13. That the Bihra P.S. Case No. 87/2022 vide Annexure-4 to the writ petition was lodged under Section 341, 323, 379, 504/34 of the Indian Penal Code till date, several witnesses have supported the narrated version of prosecution.*

*14. That here it needs mention that all these F.I.R have been lodged for isolated occurrences and three of them have been found to be true. No link of respondent no. 8 was found in these cases. So the petitioner is being victimized at the instance*



*of private respondent, does not get support. The rest can only be said after a full-fledged trial.”*

4. Learned counsel for the petitioner submits that petitioner has been harassed in the hands of private respondent nos. 8 to 21. The police has not properly investigated the matter and found the case true against the petitioner in some of the cases.

5. Considering the prayer of the petitioner which is mainly for protection of his life and property and also for proper investigation in the cases, filed by the private respondents, I am of the view that if the petitioner is not satisfied with investigation he can always approach the learned trial Court with prayer for further investigation under Section 173(8) of the Cr.P.C. / 193(9) of the B.N.S.S., 2023, and should not rush to this Court, considering the continuous litigation between the parties.

6. For protection of life and property of the petitioner, the State is duty-bound to protect the same and therefore, it is ordered that whenever any complaint is received from the petitioner regarding threat to his life or property, appropriate action would be taken by the State respondents.

7. At this stage, learned counsel for the petitioner submits that he has already made a complaint vide Annexure-6,



but no action has been taken. The State respondents are also directed to act upon the complaint made *vide* Annexure-6.

8. In terms of the aforesaid order, the present writ petition stands disposed of.

**(Arun Kumar Jha, J)**

Shahnawaz/-

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