

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P.(Cr.) No. 360 of 2023

Vikash Chandra Tiwari @ Vikas Chandra Tiwari @ Vikas Chandra Tiwari, resident of Abadganj, Post office and police station Medini Nagar, District Palamau (Jharkhand).

..... ... Petitioner

Versus

1. That State of Jharkhand.
2. Director General of Police, Jharkhand, having its office at, P.O. & P.S. Dhurwa, District Ranchi.
3. Superintendent of Police, having its office at Medini Nagar, P.O. & P.S. Medini Nagar, District Palamau.
4. Additional Superintendent of Police, having its office at Medini Nagar, P.O. & P.S. Medini Nagar, District Palamau.
5. Officer-in-charge, Town Police Station, Medni Nagar, P.O. & P.S. Medini Nagar, District Palamau. (Jharkhand).

..... ... Respondents

CORAM : HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioner	:	Mr. Mahesh Tewari, Advocate.
	:	Ms Neelam Kumari, Advocate.
	:	Mr. M.K. Banka, Advocate.
For the State	:	Md. Shahabuddin, S.C.-VII.

05/ 01.08.2024 This matter was listed at Serial No. 32 in the Daily Cause List and at 02.15 P.M., the matter was mentioned by the learned counsel appearing for the petitioner pointing out that during the pendency of the writ petition, the accused persons have again threatened the petitioner and his family members with dire consequence that is how, this matter is taken up out of turn.

2. Learned counsel appearing for the petitioner submits that the Deputy Commissioner, Palamau has constituted a four men committee with regard to the conduct of Vishal Kumar Shukla and the said four men committee has reported against the said Vishal Kumar Shukla and his accompish, as several FIRs have been registered, on which, they were on bail. He submits that in the said report, it is further stated that at any time, any type of crime can be made by the said Shukla and it is also stated that complainant's family members life is at the stake due to act of said Vishal Kumar Shukla.

3. Learned counsel appearing for the petitioner further submits

that a counter affidavit has been filed on behalf of the respondents-State, where in paras-19 and 20, it has been admitted that the petitioner has been forcefully evicted from his house and possession has been taken by said Vishal Kumar Shukla, as such, this fact clearly suggests that such a person has made havoc in the city of Medininagar in the district of Palamau.

4. The question remains that if the petitioner has been forcefully evicted at the instance of said Vishal Kumar Shukla and his accomplices, in absence of any legal proceeding, why the re-possession will not be provided to the petitioner with regard to the property in question and this is the primary duty of the State to maintain the law and order. As such, respondent Nos. 2 and 3 are directed to look into the matter and apprise the court by way of filing the supplementary counter affidavit within two weeks.

5. In light of the above, the Superintendent of Police, Palamau will protect the life and property of the petitioner.

6. Let this matter appear on 22.08.2024.

7. Let a copy of this order be communicated to the respondent Nos. 2 and 3 for the needful.

(Sanjay Kumar Dwivedi, J.)

Amitesh/-