

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1260 of 2016

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Permatma Pandey, S/O- Ram Sunder Pandey, Resident of Village- Bara Pareva, Post and Thana- Raxaul, District- East Champaran, Motihari.

.... Petitioner/s

Versus

1. The State of Bihar through District Magistrate East Champaran Motihari.
2. Public Grievance Officer, District Public Grievance Cell, East Champaran, Motihari.
3. The Subdivision Officer, Raxaul.
4. The District Land Reforms Officer, Raxaul.
5. The Anchal Adhikari, Raxaul.
6. Virendra Yadav @ Virendra Rai, S/O- Late Dhamdeo Rai, Resident of Village- Bara Pareva, Post- Raxaul, P.S.- Raxaul, District- East Champaran, Motihari.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Nagendra Dubey
For the Respondent/s : Mr. Raj Kishore Roy (GP18)

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 07-02-2018 Learned counsel for the petitioner had a grievance that despite their being a direction of the then District Magistrate, East Champaran at Motihari to lodge an FIR against the erring persons, the then Circle Officer has not lodged the FIR in contravention of the order of the District Magistrate. Learned counsel, however accepts that the petitioner has not moved in the court below before the learned C.J.M. for redressal of his grievance.

It appears that the petitioner is agitating this issue with the District Magistrate only. He has not lodged any complaint



with the local police or the senior police officer or the regular court in terms of the provisions of the Cr.P.C. as well as the judicial pronouncements on the subject.

Learned counsel for the State is present.

Since the petitioner has not exhausted his remedy and no complaint has been lodged by him in terms of the provisions of the Cr.P.C. and the judicial pronouncements of the Hon'ble Apex Court on the subject, this Court, being a Constitutional Court, would not entertain the application for a direction to lodge an FIR.

The application seems to be totally misconceived and is accordingly dismissed.

(Rajeev Ranjan Prasad, J)

Arvind/-

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