

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.985 of 2019

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

Manati Devi Wife of Sri Munna Rai Resident of Mohalla - Sahpur Maricha,
P.S.- Maniyari, Distt - Muzaffarpur.

... .. Petitioner/s

Versus

1. The State Of Bihar, through the Director General Of Police, Bihar,
2. The Inspector General of Police, Muzaffarpur Zone, Muzaffarpur.
3. The Senior Superintendent of police, Muzaffarpur, District - Muzaffarpur.
4. The Superintendent of Police, Muzaffarpur (Rural), Distt - Muzaffarpur.
5. The Station House Officer, Police - Maniyari, District - Muzaffarpur.
6. Ram Uday Rai Son of Ram Brikasha Rai Resident of Village - Sahpur Maricha, P.S. - Maniyari, Distt - Muzaffarpur.
7. Smt. Sangita Devi Wife of Jagdish Rai Resident of Village - Sahpur Maricha, P.S. - Maniyari, Distt - Muzaffarpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar Sinha
For the Respondent/s : Mr.Sheo Shankar Prasad

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 26-06-2019 The petitioner is aggrieved by non-institution of the

FIR by the Officer-in-Charge of Maniyari Police Station in

respect of a written report submitted by her on 28.03.2019, as

contained in Annexure-1 to this application.

It is contended that being aggrieved by the non-
institution of the FIR in respect of a cognizable offence reported
to the Officer-in-Charge of the Police Station, the petitioner filed
a written report before the Senior Superintendent of Police,
Muzaffarpur on 29.03.2019, but in spite of that, no FIR has been



registered.

In the facts and circumstances of the case, in case the petitioner is aggrieved by the inaction of the police in spite of the report regarding a cognizable offence in terms of Sections 154(1) and 154(3) of the Code of Criminal Procedure, the petitioner has still a remedy open for redressal of his grievance under Sections 190 and 200 of the Code of Criminal Procedure before the jurisdictional Magistrate. She may file a complaint and make a request for sending the same to the police for the purpose of investigation in exercise of power conferred under Section 156(3) of the Code of Criminal Procedure.

In view of the aforesaid statutory remedy being available to the petitioner, I am not inclined to entertain this application in extraordinary writ jurisdiction.

Accordingly, the application is dismissed with liberty to the petitioner to approach the court of jurisdictional Magistrate for the redressal of her grievance.

(Ashwani Kumar Singh, J)

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