

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.759 of 2022

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

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SHAMBHU PRASAD NAYAK S/o Late Fekan Nayak Resident of Loknathpur Ganj, Dalsinghsarai, P.S.- Dalsinghsarai, District- Samastipur.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary Home Department of Govt. of Bihar, Patna. Bihar
2. the Superintendent of Police, Samastipur. Bihar
3. The Officer in- Charge, Dalsinghsarai Police Station, District- Samastipur. Bihar
4. Sahdeo Gupta S/o- Late Krishna Dev Prasad Gupta Resident of Loknathpur Ganj Under Nagar Parishad Dalsinghsarai, Ward No.11, P.S.- Dalsinghsarai, District- Samastipur.
5. Smt. Bebi Gupta W/o Sahdeo Gupta Resident of Loknathpur Ganj Under Nagar Parishad Dalsinghsarai, District- Samastipur.
6. Kailash Nayak S/o Late Fekan Nayak Resident of Loknathpur Ganj Under Nagar Parishad Dalsinghsarai, District- Samastipur.
7. Kundan Kumar S/o Sri Kailash Nayak Resident of Loknathpur Ganj Under Nagar Parishad Dalsinghsarai, District- Samastipur.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr.Achintya Anand, Advocate
For the Respondent/s : Mr.Saroj Kumar Sharma, A.C. to A.A.G.-3

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 15-12-2022 The matter has been mentioned by learned counsel
for the petitioner for urgent hearing.

In course of mentioning, it transpires that this writ application has been filed directly in this Court for a direction to the respondent authorities to register a First Information Report. Learned counsel for the petitioner admits at the Bar that the petitioner has not moved under Section 156(3) Cr.P.C. in the



court of learned C.J.M.

This being the position.

Keeping in view the judgment of Hon’ble Supreme Court in the case of **Sakiri Vasu versus U.P. and Ors.** reported in **(2008) 2 SCC 409**, this Court would not entertain this writ application for lodging of the First Information Report.

Petitioner has remedy open which he may apply.
With this liberty, this writ application is disposed of.

(Rajeev Ranjan Prasad, J)

vats/-

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