

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No. 900 of 2022

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

Ram Naresh Jha Son of late Jugeshwar Jha Resident of Village - Malhad, P.S Supaul, District - Supaul, Presently residing at Mahavir Colony, road No. 10 In the Building of Lalan Kumar, P.S. Beur, District - Patna.

... .. Petitioner

Versus

1. The State of Bihar Bihar
2. The Principal Secretary, Home Special Department, Government of Bihar, Patna. Bihar
3. The Director General of Police, Bihar, Patna. Bihar
4. The Inspector General of Police, Patna Zone, Patna. Bihar
5. The Deputy Inspector General of Police, Patna Range, Patna. Bihar
6. The Senior Superintendent of Police, Patna. Bihar
7. The Station house officer, Beur, Patna. Bihar.
8. The Senior superintendent of Police, Saharsa. Bihar
9. The Station House officer, Saur Bazar Police Station, Saharsa. Bihar
10. Archana Devi Wife of Bhagwan Kumar Jha Resident of village - Rahua, P.S.- Saur Bazar, District - Saharsa.
11. Kalyan Kumar Jha Son of Shyam Nand Jha Resident of village - Rahua, P.S.- Saur Bazar, District - Saharsa.
12. Bhagwan Kumar Jha Son of Shyama Nand Jha Resident of village - Rahua, P.S.- Saur Bazar, District - Saharsa.
13. Shyama Nand Jha Son of not known Resident of village - Rahua, P.S.- Saur Bazar, District - Saharsa.
14. Wife of Shyama nand Jha name not known Resident of Village - Rahua, P.s.- Saur Bazar, District - Saharsa.
15. Durga Nand Thakur Son of Late Babu Kant Thakur Resident of Village - Bhakua, P.s. Navhatta, District - Saharsa Presently residing at Refujee Colony, Saharsa, P.s. Saharsa, District- Saharsa.
16. Kiran Devi wife of Durga Nand Thakur Resident of Village - Bhakua, P.s. Navhatta, District - Saharsa Presently residing at Refujee Colony, Saharsa, P.s. Saharsa, District- Saharsa.

... .. Respondents

Appearance :

For the Petitioner/s : Mr. Jagannath Singh, Advocate
For the Respondent/s : Mr. P NR. SHARMA (APP)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH



and
HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH)

3 02-09-2022 This matter has been taken up *on-line* through video conference.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner has filed the writ application seeking issuance of a writ in the nature of writ of *Habeas Corpus* directing the respondent authority to search the petitioner's daughter and produce her before this Court.

Learned counsel appearing on behalf of the petitioner has submitted that the petitioner's daughter has been kidnapped by private respondent Nos. 10 to 16. He has further submitted that despite efforts made, no First Information Report has been registered by the police in this regard.

In our considered opinion, based on the nature of pleadings on record, this writ application seeking issuance of a writ in the nature of writ of *Habeas Corpus* is misconceived and is not maintainable.

If, according to the petitioner, First Information Report is not being registered by the police, he has statutory



remedy under the provisions of the Code of Criminal Procedure
to take recourse to law.

In any view of the matter, this writ application cannot
be maintained, and is accordingly dismissed.

(Chakradhari Sharan Singh, J)

(Khatim Reza, J)

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