

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.30302 of 2023**

**In**  
**Criminal Writ Jurisdiction Case No.1007 of 2019**

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

Chandan Kumar Singh Son Of Late Suresh Narayan Singh Resident Of  
Mohalla- Dev Ghat, Andar Gaya, Ps-Vishnupad, Dist-Gaya, Bihar

... .. Petitioner/s

Versus

1. The State Of Bihar Through The Principal Secretary Home Gov. Of Bihar Patna Bihar
2. The Adirector General Of Police Bihar, Sardar Ballabh Bhai Patel Bhawan Bailey Road, Patna Bihar
3. The District Magistrate, Gaya Bihar
4. The Senior Superintendent Of Police Gaya. Bihar
5. The Deputy Superintendent Of Police, Sadar, Gaya Bihar
6. The Officer-In-Charge, Vishnupad Police Station Dist-Gaya Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Dhananjay Kumar, Advocate

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam, APP

**CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR**  
**ORAL ORDER**

2      10-05-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

This application has been filed for restoration of Cr.  
W.J.C No. 1007 of 2019 which stood dismissed for non-  
prosecution vide order dated 28.03.2023.

For the reasons mentioned in this application, it is  
allowed and Cr. W.J.C No. 1007 of 2019 is restored to its  
original file.

**Ref:- Cr. W.J.C No. 1007 of 2019**

This application has been filed for directing the



respondent authorities to register an F.I.R on the application of petitioner.

If the police did not register the F.I.R, there were two options left to the petitioner. One was to file a complaint case and other was to take recourse under Section 156(3) Cr.P.C. Without exhausting the alternative remedy, the petitioner has approached this Court in writ jurisdiction.

In view of the above, this application is dismissed with liberty to the petitioner to approach the court below in accordance with law either file a complaint case or other is to take recourse of under Section 156(3) Cr.P.C.

**(Sandeep Kumar, J)**

Harsh/

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