

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.184 of 2026

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Anil Kumar Jha S/O Uday Shankar Jha Resident of Mohalla- Hajiganj Gope
Garage, P.S.- Chowk, Dist.- Patna, At Present Director Syndicate Movers Pvt.
Ltd. Gope Garage, Hajiganj, Dist.- Patna.

... .. Petitioner

Versus

1. The State of Bihar through Director General of Police, Bihar, Patna Patna
2. The Senior Superintendent of Police Gaya jee
3. The Superintendent of Police(City) Gaya jee
4. The S.H.O. Kotwali P.S. Gaya jee

... .. Respondents

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Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Sharma, Advocate
For the Respondent/s : Mr. S.C.3

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL JUDGMENT

Date : 02-07-2026

Heard learned counsel for the parties.

2. The present writ petition has been filed seeking
following reliefs:

“(i) For issuance of writ in the nature of mandamus and directing the officials to lodge the F.I.R. as given by this petitioner to SHO, Kotwali Police Station, District Gaya jee on 26.11.2025 and proper legal action to be taken against Manish Kumar, Branch Manager, Gaya jee Branch of Syndicate Movers Pvt. Ltd.

(ii) For directing the respondents that after lodging of the FIR, unlock the godown in presence of Police and witnesses and goods must be given to the businessmen according to their bilty/receipt.

(iii) And/or pass such other order or orders as deem fit and proper in the interest of Justice.”



3. Learned counsel appearing on behalf of respondent State submits that the counter-affidavit has already been filed in this case.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is Director of Syndicate Movers Pvt. Ltd. and he gave an application to the SHO, Kotwali Police Station, Gaya jee on 14.11.2025 about his Branch Manager who had fled away locking the godown of the company and a complaint has been received from proprietor of one Dalmiya Synthetics who apprised the petitioner about the consignment of *sarees* being received in the Gaya jee branch of his company but not delivered, but thereafter his manager became incommunicado and till date, no FIR has been lodged. Meanwhile, an FIR has been lodged bearing Kotwali P.S. Case No. 566 of 2025 at the instance of one Sheo Kailash Dalmiya on behalf of Dalmiya Synthetics against misappropriation of fifty-five bundles of goods. Learned counsel further submits that on his application the SHO got the matter enquired and asked him to break open the lock and check the inventory and if anything was missing, apprise him about the same so that action could be taken. Learned counsel lastly submits that petitioner has apprehension that if he breaks open the lock and if anything is



found missing, he might be implicated in this case for theft.

5. On the other hand, learned counsel for the State respondent submits that the petitioner has given the application based on a vague averment for lodging the FIR merely saying that the Branch Manager, Manish Sharma has left after putting the lock on godown of the company and there might be some missing articles. The petitioner should break open the lock and thereafter if he finds anything is missing, he could register the case with the Police and the Police will properly enquire the matter.

6. I have perused the records.

7. From perusal of record I find that an FIR *vide* Kotwali P.S. Case No. 566 of 2025 has been instituted by one Sheo Kailash Dalmiya, proprietor Dalmiya Synthetics, for taking action against the concerned, naming the petitioner as well as Branch Manager, Manish Sharma. Now the course open to the petitioner is to come clean on the allegations by checking inventory of goods kept at branch office Gaya jee. The goods in the godown of branch office would be checked and verified by the petitioner or the other officials and not by the Police personnel as is being prayed by the petitioner. Therefore, the petitioner and the officials of his company are the competent



persons to take appropriate action in the matter. Therefore, this writ petition cannot be entertained in the aforesaid facts and circumstances and is accordingly disposed of with a liberty to the petitioner to have recourse of law in appropriate proceeding.

(Arun Kumar Jha, J)

Shahnawaz/-

AFR/NAFR	NAFR
CAV DATE	N/A
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