

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.337 of 2026

Arising Out of PS. Case No.-111 Year-2022 Thana- BEGUSARAI TOWN District- Begusarai

Subodh Kumar Singh S/o Late Ram Chandra Singh, R/o Village-
Lohiyanagar, Ward No. 28, P.S - Lohiyanagar, District - Begusarai, State –
Bihar.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary (Home), Police Department, Bihar, Patna Bihar
2. The Director General of Police - cum- Inspector General of Police, Bihar, Patna Bihar
3. Additional Director General of Police, Economics Offence Unit, Bihar, Patna Bihar
4. The District Magistrate, Begusarai, Bihar Bihar
5. The Superintendent of Police, Begusarai, Bihar Bihar
6. The Superintendent of Police, Economics Offence Unit, Bihar, Patna Bihar
7. The Officer-in-Charge, Town P.S, Begusarai, Bihar Bihar
8. The Officer-in-Charge, Lohiyanagar O.P, Begusarai, Bihar Bihar
9. Laxamn Pandit S/o Prabhu Pandit Resident of - Collegiate School Road, Jagir Mohalla - Ward No. 31, P.S and District - Begusarai
10. Sharvan Kumar S/o Prabhu Pandit R/o Village- Mungeriganj, Sabji Market, Begusarai, Ward No. 32, District - Begusarai

... .. Respondents

Appearance :

For the Petitioner : Mr. Arvind Kumar, Advocate
For the Respondents : Mr. S.C 8

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL JUDGMENT

Date : 10-07-2026

Heard learned counsels for the parties.

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

*“i. To direct the respondent State authorities
to ensure protection to the petitioner from any
threat, intimidation or harassment at the instance of
respondent no. 9 or any person acting on his behalf,*



in accordance with law;

ii. To restrain the respondent authorities from interfering with the petitioner's life, personal liberty and peaceful possession over the disputed land, except in accordance with law;

iii. To restrain the State authorities from taking any coercive action against the petitioner pursuant to complaints or directions sought by respondent no. 9.

iv. To grant any other relief(s) for which the petitioner is found entitled in the interest of justice."

3. The perusal of record shows petitioner and respondent no. 9 have been litigating over some piece of land and respondent no. 9 has instituted Title Suit No. 354 of 2023 against a number of persons including the petitioner. Apart from that, the respondent no. 9 has also instituted other cases against the petitioner. Now the petitioner has approached this Court with a prayer to injunct respondent no. 9 from giving threat, intimidation or harassing the petitioner and to restrain respondent no. 9 from taking any coercive steps against the petitioner with the help of other official respondents. A prayer has also been made against respondents for restraining them from interfering in peaceful possession of the petitioner. However, from the record I find that the complaint against the official respondents is without substance as in one of the



criminal cases instituted by respondent no. 9, the petitioner has even been exonerated. Therefore, this allegation of the petitioner does not appear to be supported with with relevant material. However, in a civil dispute arising out of claim over some piece of land, the writ cannot be entertained. The Hon'ble Supreme Court in the case of ***Roshina T. v. Abdul Azeez K.T.***, reported in ***(2019) 2 SCC 329***, held in paragraph no. 14 and 15 as under:

“14. It has been consistently held by this Court that a regular suit is the appropriate remedy for settlement of the disputes relating to property rights between the private persons. The remedy under Article 226 of the Constitution shall not be available except where violation of some statutory duty on the part of statutory authority is alleged. In such cases, the Court has jurisdiction to issue appropriate directions to the authority concerned. It is held that the High Court cannot allow its constitution jurisdiction to be used for deciding disputes, for which remedies under the general law, civil or criminal are available. This Court has held that it is not intended to replace the ordinary remedies by way of a civil suit or application available to an aggrieved person. The jurisdiction under Article 226 of the Constitution being special and extraordinary, it should not be exercised casually or lightly on mere asking by the litigant. (See Mohan Pandey v. Usha Rani Rajgaria [Mohan Pandey v. Usha Rani Rajgaria, (1992) 4 SCC 61] and Dwarka Prasad Agarwal v. B.D. Agarwal [Dwarka Prasad Agarwal v. B.D. Agarwal, (2003) 6 SCC 230.]

15. In our view, the writ petition to claim such relief was not, therefore, legally permissible. It, therefore, deserved dismissal in limine on the ground of availability of an alternate remedy of



*filing a civil suit by Respondent 1 (writ petitioner)
in the civil court.”*
(Emphasis supplied)

4. Since the present dispute between the petitioner and respondent no. 9 arises out of land dispute, institution of criminal writ appears to be abuse of process of law.

5. Accordingly, finding no merit in the present writ petition, the same is dismissed.

(Arun Kumar Jha, J)

Shahnawaz/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	13.07.2026
Transmission Date	13.07.2026

