

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.368 of 2026

Arising Out of PS. Case No.-1354 Year-2025 Thana- JAHANABAD District- Jehanabad

1. Raja Kumar S/o- Son of Gorakh Saw @ Gorakh Sao R/v- Kinari Ps- Kalpa Dist- Jehanabad
2. Gorakh Saw @ Gorakh Sao S/o- Late Guna Saw R/v- Kinari Ps- Kalpa Dist- Jehanabad

... .. Petitioners

Versus

1. The State of Bihar through the Director General of Police, Bihar, Patna Bihar
2. The Director General of Police, Bihar
3. The Inspector General of Police, Bihar
4. The Superintendent of Police, Jehanabad, Bihar
5. The Investigating Officer, Mr. Ajaz Ali, Kalpa, Jehanabad, Bihar
6. The Station Head Officer, Jehanabad. Bihar
7. Munna Kumar S/o- Gorakh SAw R/v- Kinari PS- Kalpa Dist- Jehanabad

... .. Respondents

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Mishra, Advocate
For the Respondent/s : Mr. G.P. 2

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 16-07-2026 Heard the learned counsel for the petitioners and

learned counsel for the respondents-State.

2. The present petition has been filed seeking
following relief(s):

*“(i) For a direction to respondent
concerned to take proper action against the
respondents concerned (The S.H.O.) who
illegally and deliberately detained the
petitioners under the custody for more than 24
hours when both of hem gone to police station*



to submit their grievances.

(ii) For proper and adequate compensation to the petitioners against the hampering of social status of the petitioner, to illegal detention.

(iii) For a direction to respondent concern for proper investigation of case i.e., Jehanabad (Kalpa) P.S. Case No. 1354 of 2025 filed by the wife of petitioner No.1.

(iv) For any other relief/s for which petitioners be found entitled by the Hon'ble Court."

3. Learned counsel for the respondents-State submits that a counter affidavit has been filed in this case and the Superintendent of Police, Jehanabad (respondent no. 4) has taken action against the Investigating Officer, Ajaz Ali, respondent no. 5 vide Jehanabad District Order No. 598/2026 which is contained in Memo No. 443 dated 11.05.2026 by imposition of punishment of stoppage of pay increment for six month with non-cumulative effect. Therefore, the relief 1(i) sought by the petitioners has been satisfied. Learned counsel further submits that so far as claim of compensation of the petitioners is concerned, the same is wholly misconceived, as no material has been brought on record to support the claim of the petitioners for the compensation, except saying that he was



illegally and deliberately detained. Learned counsel further submits that action has already been taken against the Investigating Officer for violating the guidelines of Hon'ble Supreme Court in the case of *Arnesh Kumar Vs. State of Bihar, AIR 2014 SC 2756*. Learned counsel further submits that so far as relief of the petitioners about proper investigation of Jehanabad (Kalpa) P.S. Case No. 1354 of 2025 is concerned, the petitioners have an equally, efficacious remedy in the form of Section 156(3) of the Code of Criminal Procedure (CrPC)/Section 175(3) of the Bharatiya Nagarik Suraksha Sanhita (BNSS).

4. From perusal of record, I find that the petitioners and private respondent no. 7 are closely related as private respondent no. 7 is the son of petitioner no. 2 and the brother of petitioner no. 1. There are allegations and counter allegations of assault by both sides with further allegation of taking away ornaments etc. against the petitioners. In these circumstances, if the petitioners are aggrieved by the manner of investigation, it would be proper for the petitioners to approach the court concerned seeking proper investigation in their case, i.e., Jehanabad (Kalpa) P.S. Case No. 1354 of 2025, which has been filed by the petitioner no. 1.



5. Since the the petitioners have got an equally, efficacious remedy in the form of Section 156(3) of CrPC/ Section 175(3) of BNSS, the present writ petition is disposed of directing the petitioners to approach the court concerned for redressal of their grievance(s).

(Arun Kumar Jha, J)

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