IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.936 of 2026

CNR No. BRHC010319052026

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chandan kumar Son of Badri Narayan Singh Resident of Village- Amaura, Ps- Karakat, Dist- Rohtas (Bhabua) Presently Resident of Khajpura Mora Path, Ps- Rajiv Nagar, Dist- Patna

... ... Petitioner/s

Versus

1. The State of Bihar, Through the Director General of Police, Bihar, Patna Bihar
2. The Director General of Police, Bihar, patna bihar
3. The Senior Superintendent of Police, Patna bihar
4. The SHO Rajiv Nagar, Ps, Dist- Patna bihar
5. Arvind Kumar son of Gurucharan yadav Resident of Village- Ramkrishna Nagar, Ps- Ramkrishna Nagar, Dist- Patna

... ... Respondent/s

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Appearance :
For the Petitioner/s : Mr. Vijay Kumar, Advocate
For the Respondent/s : Mr. Vijay Kumar Choudhary, G.P. 36
Mr. Akshay Kumar, AC to GP-36

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL ORDER

2 29-10-2026 Heard the learned counsels for the parties.

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

"I. For issuance of direction upon the State respondents especially to respondent No.4 to register F.I.R. against respondent No.5 and 5-6 unknown persons, against whom the petitioner gave written report before the S.H.O. of Rajiv Nagar P.S. on 22.08.2025 for lodging F.I.R.

II. For any other relief/relief(s) for which the petitioner is entitled in the eye of law."

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3. The petitioner has an statutory remedy available for redressal of his grievance in the form of Section 175(3) of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, which the petitioner has not availed and rushed to this Court without showing any need for this Court to intervene in the matter for registration of FIR.

4. The Hon'ble Supreme Court, in the case of ***Sakiri Vasu v. State of U.P. & Ors., (2008) 2 SCC 409***, has observed that the High Court should discourage the practice of filing a writ petition or petition under Section 482 CrPC simply because FIR has not been registered by the police, or after being registered, proper investigation has not been done by the police. The Hon'ble Supreme Court has further observed that the remedy lies under Sections 36 and 154(3) CrPC before the police officers concerned, and if that is of no avail, under Section 156(3) CrPC before the Magistrate, or by filing a criminal complaint under Section 200 CrPC and not by filing a writ petition or a petition under Section 482 CrPC. The Hon'ble Supreme Court has also noted that though alternative remedy is not an absolute bar to a writ petition, but it is equally well settled that if there is an alternative remedy the High Court

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should not ordinarily interfere.

5. Since the petitioner has an alternative remedy available, which is equally efficacious, for the relief(s) sought in the present writ petition, by relegating the petitioner to have recourse of law in appropriate proceeding before appropriate forum, the present writ petition is disposed of.

(Arun Kumar Jha, J)

Ashish/-

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