IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.930 of 2026

CNR No. BRHC010430312026

Arising Out of PS. Case No.-316 Year-2025 Thana- JAKKANPUR District- Patna

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Shatrughna Singh son of Late Rishideo Singh Resident of village- 27, Road No 1A ,Near Foundation School,Maurya Vihar, Ps- Phulwarisharif, Dist -Patna

... ... Petitioner/s

Versus

1. The State of Bihar through the Director General of Police, Old Secretariat, Bihar, Patna
2. The Senior Superintendent of Police, Patna
3. The City Superintendent of Police (Central), Patna
4. The Station House officer, Jakkanpur PS, Patna

... ... Respondent/s

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Appearance :
For the Petitioner/s : Mr. Radha Mohan Singh, Advocate
Mr. Samar Pratap Singh, Advocate
For the Respondent/s : Mr. G.A.7

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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 direction to the respondents for completing and making further investigation in connection with Jakkanpur P.S. Case No. 316 of 2025.

3. Learned counsel for the petitioner submits that the charge-sheet has been submitted against three accused persons, but the main conspirator in this case has not been named as an accused. Even though her name transpired in the confessional statement of co-accused Kundan Singh, no steps were taken to

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examine the main conspirator, Chandani Kumari, who is the wife of the deceased son of the petitioner. Therefore, the investigation is faulty, and further investigation is required in this case.

4. Apparently, the petitioner has approached this Court when there is an alternative and efficacious remedy available to him under the specific provision of 193(9) of the Bharatiya Nagarik Suraksha Sanhita, 2023, for re-investigation in a matter.

5. 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

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not an absolute bar to a writ petition, but it is equally well settled that if there is an alternative remedy the High Court should not ordinarily interfere.

6. It is settled law that if a statutory remedy is available, a writ petition would not lie except under certain established exceptions. In the present case, no such exception is found. Therefore, relegating the petitioner to have recourse of law in appropriate proceedings before the learned trial court, the writ petition is disposed of.

(Arun Kumar Jha, J)

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