

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.808 of 2022

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Nigam Chandra Mishra, Son Of Late Bhibhuti Bhushan Mishra, R/O
Mohalla- Raisar, P.S.- Kotwali, District- Munger

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Director General Of Police, Bihar, Patna
3. The Deputy Inspector General Of Police, Munger Range, Munger
4. The Superintendent Of Police, Munger
5. The Sub Divisional Police Officer, Sadar, Munger
6. The Officer-In-Charge, Kotwali Police Station, Munger
7. The In-Charge Police Outpost, Basudeopur, Munger Under Kotwali Police Station, Munger
8. Sri Jai Prakah Singh, Sub Inspector Of Police, Son Of Not Known to Petitioner, At Present Posted as In-Charge Police Outpost, Basudeopur, Under Kotwali Police Station, Munger
9. Sri Vijay Bhushan Mishra, Son Of Late Rasik Lal Mishra, R/O Mohalla- Raisar, P.S.- Kotwali, District- Munger
10. Sri Sanjay Bhushan Mishra, Son Of Sri Vijay Bhushan Mishra, R/O Mohalla- Raisar, P.S.- Kotwali, District- Munger
11. Sri Sumit Mishra @ Happy, Son Of Sri Sanjay Bhushan Mishra, R/O Mohalla- Raisar, P.S.- Kotwali, District- Munger

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pravin Kumar Sinha, Advocate
For the State : Dr. Mankeshwar Tiwari, AC to AAG-3

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

5 13-03-2026 The present writ petition is not admitted till date.

However, notice was issued by a Co-ordinate Bench to the respondents before admission of the present Writ Petition.

2. Perused the writ petition. I am of the considered view that it may be disposed of at this stage itself.

3. Heard learned counsel for the petitioner and learned



AC to AAG-3 for the State.

4. The present writ petition has been preferred by petitioner seeking direction to the respondents/police authorities to conduct high level inquiry into the matter of the petitioner and the conduct of the in-charge Basudeopur O.P., under Kotwali Police Station in the district of Munger and take administrative action against the respondent Nos. 7 and 8 who are police officials.

5. The factual background of the case is that the petitioner and respondent No.9 are brothers and there is dispute regarding partition of the landed property. As per the petitioner, the partition has been illegally effected by his brother Vijay Bhushan Mishra which has been challenged by the petitioner in the Civil Court by Title Suit No. 104 of 2003 pending in the Civil Court, Munger.

6. It is also alleged by the petitioner that one boundary has been raised by his respondent/brother and the boundary raised by the petitioner has been demolished. Hence, on account of illegal activity of the respondent No.9, information has been given to the police upon which proceeding under Section 144 Cr.PC was initiated, but the same has been disposed of, against which, the petitioner has even preferred criminal revision and



the same has also been dismissed. Hence, the petitioner is before this Court seeking inquiry into the dispute between his brother and action against police officials.

7. In my considered view, the present writ petition is misconceived. It is a civil dispute between the petitioner and respondent No.9 in regard to their ancestral property for which the petitioner has alternative efficacious remedy by way of appropriate civil suit which has already been preferred before the Civil Court.

8. Hence, the present writ petition is disposed of with liberty to the petitioner to agitate all the grievances in regard to the property before the Civil Court where the Title Suit No. 104 of 2003 is pending. If the petitioner prefers any interlocutory application before the Civil Court for any interim relief in regard to the property in question, learned Civil Court is duty bound to dispose of it at the earliest as per law.

(Jitendra Kumar, J.)

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