

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1319 of 2023

Arising Out of PS. Case No.-1811 Year-2022 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

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Jitendra Kumar Singh Son Of Sri Dina Nath Singh Resident Of Cinema Road,
Ward No. 17, P.S. - Gopalganj, Distt. - Gopalganj

... .. Petitioner/s

Versus

1. The State of Bihar through the Home Secretary, Govt. of Bihar, Patna
2. The Director General of Police, Bihar Patna
3. The Superintendent of Police, Gopalganj
4. Officer-In-Charge, Sadar Gopalganj Police Station Bihar
5. Sri Satish Chandra Srivastava Son of Late Sidheshwari Sharan Resident of Cinema Road, ward no. 17, P.S. - Gopalganj, Distt. - Gopalganj
6. Sri Saurav Srivastava Son of Satish Chandra Srivastava Resident of Cinema Road, ward no. 17, P.S. - Gopalganj, Distt. - Gopalganj
7. Sri Lal Bahadur Prasad Son of Late Bhagat Prasad Resident of Bairiya, P.S. - Yadopur, Distt. - Gopalganj
8. Sri Sikandar Prasad Son of Sri Lal Bahadur Prasad Resident of Bairiya, P.S. - Yadopur, Distt. - Gopalganj
9. Sri Sanjay Kumar Son of Sri Lal Bahadur Prasad Resident of Bairiya, P.S. - Yadopur, Distt. - Gopalganj
10. Sri Mintu Kumar Son of Sri Lal Bahadur Prasad Resident of Bairiya, P.S. - Yadopur, Distt. - Gopalganj

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rajesh Mohan, Advocate
For the State	:	Md. Iqbal Asif Niazi, AC to GP-5

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

4 29-06-2026 The present petition has been preferred by the petitioner seeking direction to the respondents – police authorities to investigate/further investigate in Complaint Case No. 1811 of 2022, filed for the offences punishable under



Sections 147, 149, 323, 448, 327 and 461 of the Indian Penal Code, pending in the Court of learned Chief Judicial Magistrate, Gopalganj.

2. Apparently, such relief is not permissible under the law in a complaint case and only the concerned Judicial Magistrate is required to enquire into the complaint and take legal action as per law. There is no question of any investigation by any police in a complaint case. At most, during inquiry, learned Judicial Magistrate can seek some report, if required.

3. It also transpires from the statement of learned counsel for the petitioner at bar that in that complaint, even cognizance has been taken and process has been issued against the accused persons, though the accused had preferred criminal revision. However, as per further statement of learned counsel for the petitioner, the criminal revision has been disposed of, filed by the accused persons in that complaint case. However, the petitioner has not preferred further remedy as per learned counsel for the petitioner before any higher Court against any order in criminal revision filed by the accused persons in that complaint case.

4. As such, this petition is totally frivolous and it should have been dismissed at the outset.



5. Accordingly, the present petition is dismissed with
liberty to the petitioner to take legal remedy as per law.

(Jitendra Kumar, J)

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