

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Writ Jurisdiction Case No. 85 of 2026**

Arising Out of PS. Case No.-55 Year-2023 Thana- BARGAINIA District- Sitamarhi

Sanjay Kumar @ Sanjay Kumar Singh S/o Kameshwar Prasad Singh R/o Village  
- Sekhauna Ward No. 21, P.S - Bairgania, District - Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Home, Government of Bihar Bihar
2. The Director General of Police, Bihar, Patna Bihar
3. The Deputy Inspector General of Police, Tirhut Range, Muzaffarpur Bihar
4. The District Magistrate, Sitamarhi Bihar
5. The Superintendent of Police, Sitamarhi Bihar
6. The Sub-Divisional Police Officer, Sitamarhi Sadar, District - Sitamarhi Bihar
7. The Officer-in-Charge, Bairgania Police Station, Bairgania, District - Sitamarhi Bihar
8. The Investigating Officer, Bairgania Police Station, Bairgania, District - Sitamarhi Bihar
9. Vaibhav Kumar S/o Karunakar Mishra R/o Village - Dumrawan Ward No. 7, P.S - Bairgania, District - Sitamarhi
10. Prasun Kumar S/o Aditya Mishra R/o Village - Dumrawan Ward No. 7, P.S - Bairgania, District - Sitamarhi

... .. Respondent/s

**Appearance :**

For the Petitioner/s : Mr.Harsh Anuj, Advocate

For the Respondent/s : A.A.G.12

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA**

**ORAL ORDER**

2      25-06-2026      This petition has been filed for issuance of appropriate writ(s), order(s) direction (s) to the respondents to re-investigate Bairgania P.S. Case No. 55 of 2023 dated 03.03.2023 taking into account the allegation made by the petitioner through his written application dated 28.02.2023, 02.03.2023 and 11.03.2023 in fair and proper way alleging that the respondents have falsified the real crime committed by the accused persons on 27.02.2023 at the house of Aditya Mishra, son of Vishwambhar Mishra of Village Dumarawan, Ward No. 7, P.S. Bairgania, District Sitamarhi and further to initiate departmental proceeding against the then Respondent No. 7 and Respondent No. 8 since the then Respondent nos. 7 and 8 have failed to discharge their statutory obligation in fair way.

02. Learned counsel for the petitioner submits that the petitioner gave a written report dated 28.02.2023 to respondent no. 7 making a complaint against one Vaibhav Kumar who drew out a pistol and opened firing in a marriage ceremony but no action was taken. Again on 02.03.2023, the petitioner gave a representation to respondent no. 6 making specific complaint against respondent no. 7 but again no action was taken. However, police instituted a case on 03.03.2023 bearing Bairgania P.S. Case No. 55 of 2023 for offences under Section 506 of the IPC and Section 66(A) of the IT Act against Vaibhav Kumar on the information given by local chowkidar and not on the application of the petitioner in order to save respondent nos. 9 and 10. Learned counsel further submits that the petitioner also gave a representation to respondent no. 5 on 11.03.2023 giving details regarding commission of crime and for proper action on respondent nos. 7 and 8 but no action was taken. Further, after investigation a final report has been submitted in Bairgania P.S. Case No. 55 of 2023 absolving the accused. Therefore, the police authorities may be directed to re-investigate the matter in an impartial and fair manner.

03. Perused the record.

04. Apparently, First Information Report was not instituted at the instance of the petitioner and when a closure report has been filed in First Information Report which was registered at the instance of some other person, the petitioner being an interloper or busybody has no business asking for re-investigation in the matter. If the

petitioner was aggrieved by inaction on his application or representations, he could have approached this Court without any delay but chose not to do so. If interlopers or busybodies are allowed to intervene in cases registered by other persons without any *locus standi*, there would be no end to it and the investigation would continue *ad infinitum*.

05. From perusal of the record, I also find that the petitioner and respondent nos. 9 and 10 are not on good terms and both sides have instituted criminal cases against each other. Therefore, the petitioner has an axe to grind against the respondent nos. 9 and 10. Moreover it also shows if the case had been registered against respondent nos. 9 and 10 at the instance of the petitioner, the allegation of bias against respondent nos. 7 and 8 does not have much merit.

06. In the light of these facts and circumstances, I am of the considered opinion that the present writ petition is completely misconceived and could not be entertained under Article 226 of the Constitution of India.

07. Accordingly, the present writ petition is disposed of.

**(Arun Kumar Jha, J)**

Anuradha/-

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