

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

**Civil Writ Jurisdiction Case No.17665 of 2013**

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1. Umesh Kumar Singh Son Of Late Chhathu Singh Village Shobha Chhupra P.S.  
Bairia District Balia

.... .... Petitioner/s

Versus

1. The State Of Bihar through Law Secretary, Government of Bihar, Patna  
2. The District And Sessions Judge, Saran At Chapra P.S. And Distt. Chapra As  
His Administrative Capacity

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Anil Kumar Mukund

For the Respondent/s : Mr. S.Raza Ahmad, AAG 9

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**CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI**

ORAL JUDGMENT

**Date: 23-04-2015**

Petitioner is required to be dismissed from service once he has been convicted and sentenced to life imprisonment. Merely because he has been enlarged on bail pending his appeal it does not mean that he has right to continue as a government servant, that too in the civil court. Once the petitioner's appeal is allowed and he is exonerated then obviously he may get a chance to assert his right for reinstatement but otherwise a convicted person under Section 302 IPC, which amounts to moral turpitude, can never be allowed to continue as a government servant.

Writ is dismissed.

**(Ajay Kumar Tripathi, J)**

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