

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.90 of 2014

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Ajay Kumar Rai @ Ajay Kumar, Son of Late Babu Lal Rai, Resident of
Village - Hasanpur Bhadawas, P.S.- Mahua, District - Vaishali.

.... Petitioner

Versus

1. The State of Bihar.
2. The District Magistrate, Vaishali at Hazipur.
3. The Superintendent of Police, Vaishali at Hajipur.
4. The Deputy Superintendent of Police, Mahua District- Vaishali.
5. The Station House Officer, Mahua Police Station, District - Vaishali.

.... Respondent

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Sinha- I, Advocate

For the Respondent/s : Mr. Rajiv Roy, GP-5

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 13-01-2015

By filing the present application under Articles 226 and 227 of the Constitution of India, the petitioner has prayed for deletion of his name from “GUNDA” register being maintained in the Mahua police station as well as office of the Superintendent of Police, Vaishali.

It has been contended that the petitioner is a law abiding citizen and is not indulged in any activity on the basis of which he can be branded as “GUNDA”.

On the other hand, learned counsel for the State has submitted that the petitioner has been made accused in at least three cases vide Mahua P.S. Case Nos. 229 of 2011, 452 of 2011

and 366 of 2012. He has submitted that the petitioner always misuses the official position of his better half and terrorise the local people. However, he submits that if the petitioner puts forward any application supporting his case for removal of his name from the “GUNDA” register to the Officer-in-charge of Mahua police station a fresh consideration will be given in the matter and such application shall be forwarded to the office of the Superintendent of Police for the needful in accordance with law.

Having regard to the facts and circumstances of the case, in case the petitioner files an application before the S.H.O. of Mahua police station within two weeks from today for deletion of his name from the “GUNDA” register, the S.H.O. Mahua Police Station is directed to look into the same and make his recommendation to the Superintendent of Police within four weeks from the date of filing of such application. In case such an application is filed and forwarded to the Superintendent of Police, Vaishali by the S.H.O. Mahua Police Station, the Superintendent of Police, Vaishali shall dispose of the same by a reasoned order within a period of four weeks from the date of receipt of the recommendation.

With these observations, the application is disposed of.

(Ashwani Kumar Singh, J.)

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