

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6866 of 2015

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Baleshwar Kumar, Son of Shri Parashnath Chandra, Resident of Village - Piwni Bag Baswariya, P.S. - Bettiah and District West Champaran, Presently resident of old Patliputra Police Station Premises, P.S. Patliputra and District - Patna.

.... Petitioner

Versus

1. The State of Bihar, through the Principal Secretary, Department of Home, Old secretariat Patna, Bihar Patna.
2. The Director General of Police, Bihar, Secretariat Patna, Bihar, Patna.
3. The Inspector General of Police, Central Zone, Bihar Patna.
4. The Deputy Inspector General of Police, Central range, Patna, North to Gandhi Maidan, Patna.
5. The Senior Superintendent of Police, Patna North to Gandhi Maidan, Patna.
6. The Officer in Charge, Patliputra Police Station, Patliputra Patna - 13.
7. Sri Dharmendra Kumar, Sub-Inspector, Patliputra Police Station - Patna.

.... Respondents

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Appearance :

For the Petitioner	:	Mr. Sanjay Kumar Griyaghey, Advocate
For the State	:	Mr. Subhash Prasad Singh, G.A.3, Mr. Shiv Kumkar, A.C. to G.A. 3

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date: 22-08-2016

Heard parties.

The Senior Superintendent of Police, Patna and Officer-in-Charge, Patliputra Police Station are present in pursuant to the direction of this Court contained in the order dated 20.08.2016.



Affidavits have been filed on their behalf after serving copies upon the petitioner. It has been stated that handing over and taking over the charge of the 'Malkhana' concerned would be completed within a period of two weeks and necessary "No Objection Certificate" would be issued. It is further stated that already action has been taken against the erring official as show cause notice etc. have been issued.

In my view, the responsibility should be fixed as the matter has been kept pending for three years on petty issue of handing over of charge of 'Malkhana' and the petitioner had to approach this Court by filing writ petition.

In the aforementioned facts and circumstances of the case, this writ application stands disposed of with a direction to the Senior Superintendent of Police, Patna to do the needful as per the statement made in the counter affidavit and take over the charge from the petitioner within 15 days and issue 'No Objection Certificate' in accordance with law. Thereafter, all the formalities should be completed by the concerned authority and after that, he will issue necessary sanction order and pay entire amount of retrial benefits to the petitioner within a further period of four weeks.

The process which has been initiated by the Senior Superintendent Of Police for fixing responsibility should be brought

to its logical conclusion also.

The personal appearances of the Senior Superintendent of Police, Patna as well as Officer-in-Charge, Patliputra Police Station are dispensed with and the immediate action which has been taken by the Senior Superintendent of Police, Patna is appreciated.

(Dr. Ravi Ranjan, J)

Sanjay-II/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	23.08.2016
Transmission Date	NA