

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.18990 of 2008

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Dwarika Nath Jha, s/o Late Bisheshwar Jha, r/v and P.O. – Loha, P.s. – Kaluahi,
District - Madhubani

.... Petitioner/s

Versus

1. The State of Bihar
2. The Deputy Inspector General of Police, Sahabad Region, Dehri-On-Sone,
Rohtas
3. The Superintendent of Police, Kaimur at Bhabhua
4. The Sub-Divisional Police Officer, Mohania, Kaimur at Bhabhua

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. BINDHYACHAL SINGH, Adv.
Mr. Uday Pratap Singh
Mr. Prashant Sinha

For the Respondent/s : Mr. Manoj Kumar Ambastha –SC-26
Mr. Subodh Kumar A.C. to S.C. - 26

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL JUDGMENT

Date: 04-02-2017

Heard both sides.

The petitioner seeks quashing of the order, as contained
in Memo No. 1793 dated 09.07.2008 at annexure-6.

Facts which are relevant for the disposal of this writ
petition are that the petitioner was posted, as Assistant Sub-Inspector
in Bhabhua Police Station and he was the Investigating Officer of
Bhabhua P.S. Case No. 160/2007, but the petitioner being the
Investigating Officer of Bhabhua P.S. Case No. 160/2007 did not
submit charge-sheet within time, as mandated under Section 167(2) of
the Cr. P.C. The petitioner was put under suspension vide order, as
contained in Memo No. 370 dated 09.04.2008 and a departmental



proceeding was initiated. The petitioner filed his show-cause and admitted his own fault, but at the same time, prayed to accept his apology. The Disciplinary Authority inflicted minor punishment by giving a '*Kalank*' (black-mark) and the period of suspension of the petitioner was treated to be on leave. I do not find any procedural illegality in the departmental proceeding.

Learned counsel for the State also pointed out that the petitioner has not preferred appeal/revision against the order inflicting punishment against him. If the petitioner, so advised, may prefer statutory appeal or revision before the authority concerned.

Having considered the facts, I find that the order impugned does not warrant any interference. Accordingly, the writ petition is dismissed.

(Prabhat Kumar Jha, J.)

Vinita/-

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

