

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.8614 of 2017

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1. Alok Kumar Tiwari Son of Shashi Bhushan Tiwari Resident of Village - Khajuriya, P.O. - Bahadurpur, P.S. - Areraj, District - East Champaran.
 2. Abhay Kumar Son of Shankar Chaudhary Resident of Village - Sarsar, P.O. - Sarsar, P.S. - Siwan Sarsar, District - Siwan.
 3. Wasim Kamil Son of Md. Kamil Resident of Village - Piprahiyan, P.O. - Newri, P.S. - Barauli Piprahiyan, District - Gopalganj.
 4. Kamlesh Kumar Son of Ram Babu Mahto Resident of Village - Lagma, P.O. - Lagma, Via - Manik Chowk, P.S. - Dumra, District - Sitamarhi.
 5. Pankaj Kumar Son of Kamdeo Singh Resident of Village - Rafiganj, P.O. - Rafiganj, P.S. - Rafiganj, District - Aurangabad.
 6. Bibhuti Ranjan Son of Balram Kumar Brajesh Resident of Village - Ajagaiva, P.O. - Ajagaiva, P.S. - Sour Bazar, District - Saharsa.
 7. Saroj Kumar Son of Rajendra Paswan resident of village - Chandan Nagar, P.O. - Sonaili, P.S. - Kadwa near Railway Station, District - Katihar.
 8. Jayant Kumar Son of Upendra Prasad Yadav Resident of Village - Chhata, P.O. - Dariyapur, P.S. - Sangrampur, District - Munger.

.... Petitioner/s

Versus

1. The Union of India through Secretary, Ministry of Health & Family Welfare, Nirman Bhawan, New Delhi.
2. The Secretary, Ministry of Health & Family Welfare, Nirman Bhawan, New Delhi.
3. The Medical Counseling Committee, Directorate General of Health Services Ministry of Health & Family Welfare, Government of India.
4. The State of Bihar through Chief Secretary, Government of Bihar, Patna.
5. The Principal Secretary, Home Department, Government of Bihar, Patna.
6. The Director General of Police, Government of Bihar, Patna.
7. The Senior Superintendent of Police, Patna.
8. The Superintendent of Police, Patna.
9. The Dy. Superintendent of Police, Patna.
10. The Officer In Charge, Patrakar Nagar Police Station, District - Patna.
11. The Medical Council of India through Secretary, M.C.I. Building, Pocket - 4,



Sector - 8, Dwarka, New Delhi - 110002.

12. The Dental Council of India through Secretary, Aiwan-E-Galib Marg, Kotla Road, Temple Lane, New Delhi - 110002.

13. The Central Board of Secondary Education through Director, C.B.S.E. Vikash Marg, C - Block - Preet Vihar, Delhi - 110062.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Jagjit Roshan, Advocate
Mr. Rajeev Ranjan, Advocate
Mr. Apul, Advocate
For the Respondent/s : Mr. Lalit Kishore(PAAG1)

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 14-07-2017

Inter alia contending that in view of leak of question paper in the year 2017 examination seeking an investigation by the Central Bureau of Investigation, the writ petition has been filed. Shri Lalit Kishore, learned Principal Additional Advocate General-1, points out that the Hon'ble Supreme Court is already seized of the matter. That apart, we are informed that cases filed before the Hon'ble Supreme Court by certain persons were already dismissed. That apart, with regard to the law for directing investigation by a Central Agency, Hon'ble Supreme Court has laid down various principles in the cases of State of West Bengal & Ors. v. The Committee For Protection Of Democratic Rights, West Bengal & Ors., (2010) 3 SCC 571 and Pooja Pal vs. Union of India & Ors., (2016) 3 SCC



135.

In the present case, the aforesaid principles are not met and, therefore, we see no reason to make indulgence.

The application is dismissed.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

K.C.jha/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	21.7.2017
Transmission Date	N/A

