

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.16422 of 2016

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General Secretary Bihar Rajya Sarkari Adhivakta Kalyan Sangh Bhojpur Ara,
through Abhimanyu Singh, Advocate Bar Association Civil Court Bhojpur at Ara
Son of Late Ramdahin Singh Resident of village - Keshopur, P.S. Barahara,
District - Bhojpur (Ara)

.... Petitioner/s

Versus

1. The State of Bihar
2. The Chief Secretary Govt. of Bihar, Patna
3. The Law Secretary, Law Department Government of Bihar, Patna
4. The District and Sessions Judge (In administration side) Bhojpur (Ara)
5. The District Magistrate, Bhojpur at Ara

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Maya Shankar Mishra, Advocate

For the Respondent/s :

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 27-04-2017

Petitioner has filed this writ petition in public interest and it is the case of the petitioner that for the purpose of appointment of Additional Public Prosecutors for district in question, namely, District- Bhojpur (Ara), statutory rules have been violated and ignoring the provisions of Section 24(4) of the Cr.P.C. and various other provisions, appointments of Additional Public Prosecutors have been undertaken.

2. On notice being issued, respondents have filed a detailed reply and they have pointed out that the District & Sessions



Judge, Bhojpur at Ara vide letter (Annexure-A) dated 27.01.2012 recommended the names for appointment as Additional Public Prosecutors and based on the recommendation, the State Government has taken action and after following the due process of law, the appointments have been made.

3. After the counter affidavit was filed by Respondent No. 5, there is no rebuttal to the same and we find that even the persons who have been appointed as Additional Public Prosecutors have not been impleaded as party.

4. Keeping in view the detailed affidavit submitted by the respondent, indicating the action respondents have taken, we see no case made out for indulgence for the present in the manner the petition has been filed. The petition is, therefore, dismissed.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

P.K.P.

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	02.05.2017
Transmission Date	

