

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.6548 of 2006**

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Sunil Kumar son of Sri Kapil Deo Prasad Singh of village Charan, P.O.  
Nowwagarby, P.S. Mufassil, District Munger.

.... .... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The D.G. of Police cum I.G. of Police Bihar, Patna.
3. The I.G. of Police, Bhagalpur Zone, Bhagalpur.
4. The D.I.G. of Police, Range, Bhagalpur.
5. The S.P., Bhagalpur.

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Ramakant Sharma, Sr. Advocate.  
Mr. Rakesh Kumar Sharma, Adv.

For the Respondent/s : Mr. AAG-9

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**

**ORAL JUDGMENT**

**Date: 31-08-2018**

The learned Senior counsel for the petitioner has produced a judgment of this Court dated 15.2.2018 passed in CWJC No.10024 of 2003 and other analogous cases. The learned Senior counsel submits that the present case and the aforesaid cases wherein judgment dated 15.2.2018 has been passed by this Court are based on same and similar facts and the petitioner herein was a constable and he too was proceeded against on similar charges, on the basis of which the other writ petitioners of the aforesaid cases were also proceeded against. It is thus submitted that the illegality and irregularity committed in conduct of the departmental proceedings in other cases has also been done in the present case, hence the present case being squarely covered by the aforesaid judgment dated 15.02.2018, the present case is



also required to be dealt with in a similar manner.

I have heard the learned Senior counsel for the petitioner and perused the materials on record and I find that the present case is squarely covered by a judgment of this Court dated 15.2.2018 passed in CWJC No. 10024 of 2003 and other analogous cases.

In view of the aforesaid, the order of punishment of dismissal from service dated 17.4.2002, the appellate order dated 23.8.2002, the second appellate order dated 10.4.2003 and the memorial order dated 15.7.2009 are set aside.

The writ petition is allowed.

**(Mohit Kumar Shah, J)**

BTiwary/-

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