

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 3413 of 2014

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Ajay Kumar Ray Son Of Sri Awadh Bihari Ray Resident Of Village- Hasanpur,
P.S. And District- Arwal

.... Petitioner/s

Versus

1. The State Of Bihar
2. The Director General of Police Bihar, Patna
3. The Deputy Director General of Police (Military Police), Patna
4. The Commandant, Bihar Military Police-3, Bodh Gaya

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr Alok Kr Sinha, Sr Advocate with M/s Bholu Kr, Ashish Sinha, Advocates
For the S t a t e	:	Mr Madhaw Pd Yadav, GP XXIII with Ms Meera Singh, AC to GP XXIII

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date: 13-07-2018

Heard learned Senior Counsel for the petitioner and the
respondent-State.

2 The petitioner has challenged the order dated 21.03.2013, 07.06.2013 and 20.12.2013 whereby he has been dismissed from the service of Constable. Petitioner's dismissal is on the ground that while obtaining appointment as Constable in the year, 2011, he has submitted application form wherein he has concealed the fact that he is an accused in two criminal cases. The concealment was at the time of joining on 14.01.2012. Subsequently, upon verification, petitioner has been found to be accused in two cases, namely, Arwal



Police Station Case No 47 of 2009 and Arwal Police Station Case No 52 of 2009.

3 The petitioner’s handwritten application at the time of joining, which was sent for verification, has been enclosed with the counter affidavit. Column 7 of the same required him to disclose the issue whether he was accused in any case, civil or criminal or whether he had ever suffered imprisonment, but in the said column, he has not made disclosure regarding his accusation in criminal proceedings. The response of the petitioner in the rejoinder is that he has not “deliberately” concealed the fact. There is inherent admission in the rejoinder regarding concealment of the aforesaid fact.

4 In view of the admitted facts, as noticed above, no case is made out for this Court to exercise its writ jurisdiction in favour of the petitioner. The writ petition is devoid of any merit and the same is dismissed.

(Madhuresh Prasad, J)

M.E.H./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	16.07.2018
Transmission Date	NA

