

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2758 of 2017

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Puneshwar Roy, Son of Late A.N. Roy, resident of Mohanpur Colony,
Motijheel, Muzaffarpur, P.S.- Town Thana Muzaffarpur, District-
Muzaffarpur, Pin Code- 842001.

... .. Petitioner

Versus

1. The State of Bihar through its Secretary, Home Department, Govt. of Bihar, Patna.
2. The Inspector General, Jail & Reforms Services, Govt. of Bihar, Patna.
3. The Jail Superintendent, Saheed Khudiram Bose Central Jail, Muzaffarpur.

... .. Respondents

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Appearance :

For the Petitioner/s	:	Mr. Shiv Kumar Prabhakar, Advocate Mr. Uma Shankar Sharma, Advocate
For the Respondent/s	:	Mr. H.S. Roy, A.C. to A.G.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL JUDGMENT

Date : 24-09-2018

Heard learned counsel for the petitioner and
learned counsel for the State.

In this case, the impugned order has been passed solely based upon the outcome of the criminal case vide Vigilance Special Case No.25 of 1991, arising out of the Vigilance P.S. Case No.41 of 1991, in which the petitioner was convicted for the offence under Sections 7 and 13(2) of the Prevention of Corruption Act.

Learned counsel for the petitioner produced the copy of the judgement and order dated 27.07.2018 passed in Criminal Appeal No.652 of 2010, in which the petitioner has been acquitted.



The impugned order is solely based upon the outcome of the criminal case and at present the petitioner has been acquitted, in such circumstance, the Inspector General, Jail and Reforms Service, Government of Bihar, Patna, will revisit and reconsider the case of the petitioner and pass appropriate order in light of the fact that the petitioner has been acquitted by this Court while exercising the appellate jurisdiction.

For convenience, the petitioner is directed to file a proper representation before the Inspector General, Jail and Reforms Service, annexing the copy of the judgement and order passed in Criminal Appeal No.652 of 201. If such a representation is filed, the Inspector General, Jail and Reforms Service, shall pass appropriate order within three weeks from the date of filing of representation by the petitioner considering the above-stated facts.

With the aforesaid observations and directions, this writ petition is disposed of.

(Shivaji Pandey, J)

pawan/-

AFR/NAFR	N.A.F.R.
CAV DATE	N/A.
Uploading Date	26.09.2018
Transmission Date	N/A.

