

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1328 of 2017

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Ratnesh Kumar, Son of Late Jagan Nath Raut, resident of Mohalla - Naya Tola, Kumhrar, P.S. Agamkuan, Town Patnacity, District - Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Inspector General of Police, Muzaffarpur Range, Muzaffarpur
3. Deputy Inspector General, Champaran Range at Bettiah
4. Superintendent of Police, Motihari, East Champaran
5. Deputy Superintendent of Police Cum Enquiring officer, Chakiya, Motihari, East Champaran

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Akhilesh Dutta Verma
For the Respondent/s	:	Mr. SHEOSHANKAR PRASAD,SC-8

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 19-02-2018 The learned counsel for the petitioner and the respondents are in agreement that the present case is covered by the judgment dated 21.02.2017 passed in CWJC No. 15089 of 2016 inasmuch as in the present case also the Enquiry Officer and the Presenting Officer are one and the same person which is not permissible under the law.

Accordingly, the order dated 30.11.2011 passed by the Deputy Inspector General of Police, Champaran Range, Bettiah as well as the appellate order dated 16.06.2012 passed by the Inspector General of Police, Muzaffarpur Range, Muzaffarpur are set aside and the respondents are given liberty to proceed in accordance with law.



The writ petition is allowed with liberty to the respondents to proceed further in the present case in accordance with law.

It goes without saying that any consequential benefits to which the petitioner is entitled, shall be paid within a period of six weeks from today.

(Mohit Kumar Shah, J)

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