

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1944 of 2019

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Ashok Kumar, son of Radha Krishna Singh, resident of Village- Ram Koari,
P.S- Saral, District- Vaishali, at Present- Address-C/o Rajeev Ranjan Singh,
R/o-Mohalla- Jai Prakash Nagar, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna
2. D.G. of Police, Bihar, Patna
3. D.I.G. Purnea Range, Purnea, Bihar
4. S.P, Purnea, Bihar
5. S.D.P.O Dhamdaha, District- Purnea-cum-Enquiry Officer, District- Purnea, Bihar

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ebrahim Kabir, Adv
For the Respondent/s : Mr. Sheo Shankar Prasad (SC-8)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 06-02-2019

The petitioner has approached this Court for a direction to the authorities to stay the departmental proceeding initiated against him till the pendency of the criminal case in which he is facing trial.

2. Mr. Ebrahim Kabir, learned counsel for the petitioner has not been able to make out any case for holding that the simultaneous proceedings at two different places would amount to disclosing the defense of the petitioner which would prejudice him in trial.

3. Nonetheless, it has been submitted on behalf of



the petitioner that he would be satisfied if he is permitted to make a representation before the concerned respondent viz. the Superintendent of Police, Purnea (respondent No. 4), making a request for stay of departmental proceeding till the conclusion of the criminal trial.

4. In case of such a representation if filed within three weeks from today, the same shall be disposed off by respondent No. 4 after taking into account the nature of charges against the petitioner in both the proceedings and also considering whether the continuance of the proceedings at both forums would prejudice the case of the petitioner, within a period of six weeks thereafter.

5. With the aforesaid direction, the writ petition is disposed off.

(Ashutosh Kumar, J)

Shageer/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	14/02/2019
Transmission Date	NA

