

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.20548 of 2019**

Arvind Kumar Pandit, S/o Arjun Pandit, resident of Village- English  
Chichroun, P.O. and P.S. - Akbar Nagar, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through its Secretary, Home Department, Government of Bihar.
2. The Inspector General Prison, Bihar, Patna.
3. The Superintendent Sahid Zubba Sahni, Central Jail, Bhagalpur.
4. The Superintendent, Mandal Jail, Banka.

... .. Respondent/s

**Appearance :**

For the Petitioner/s : Mr. Shashi Shekhar  
For the Respondent/s : Mr. P. K. Verma ( AAG-3 )

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

3      11-06-2020      The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing lock-down on account of COVID 19 Pandemic, requiring social distancing.

Heard learned counsel for the petitioner and Shri P.K. Verma, learned AAG-3 for the State.

The present writ petition has been filed challenging the order dated 05.04.2019 passed by the Superintendent, Central Jail, Bhagalpur, whereby and whereunder the petitioner has been transferred from Central Jail, Bhagalpur to Sub-Divisional Jail, Navgachiya.

The learned AAG-3, appearing for the respondent-State



submits that the petitioner has not availed the remedy of appeal provided for under Rule 811 of the Bihar Prison Manual, hence the present writ petition is not maintainable.

The learned counsel for the petitioner, at this juncture, submits that the petitioner be granted liberty to file an appeal before the appellate authority and some direction be given to the appellate authority to dispose of the same expeditiously.

Having regard to the submissions made by the learned counsel for the petitioner, the present writ petition stands disposed off with liberty to the petitioner to file appropriate appeal against the impugned order dated 05.04.2019 within a period of four weeks from today, which shall be disposed off by the appellate authority expeditiously.

**(Mohit Kumar Shah, J)**

S.Sb/-

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