

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3806 of 2019

Anil kumar@Anil kumar singh @ Constable no. 234 Anil kumar S/o Ram Dev Singh Vill.-Chaugani Kalan, P.O.-Gachhain, P.S.-Gachai, Distt.-Rohtas, at present constable 234, Police Line Buxar, Bihar

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Home, Govt. of Bihar, Old Secretariat, Patna
2. Additional Chief Secretary, Department of Home, Govt. of Bihar, Old Secretariat, Patna
3. The Director General of Police, Old Secretariat, Patna, Bihar
4. The Additional Director General of Police (Head Quarters), Old Secretariat, Patna, Bihar
5. The Inspector General of Police (Administration) Police Headquarters, Old Secretariat, Patna, Bihar
6. The Principal Secretary Department of Home, Govt. of Bihar, Old Secretariat, Patna
7. The Joint Secretary Section-8 Department of Home(Police Branch), Bihar, Old Secretariat, Patna
8. The Under Secretary Section-8 Department of Home(Police Branch), Govt. of Bihar, Old Secretariat, Patna
9. The Inspector General of Police Patna Zone, Patna, Bihar
10. The Deputy Inspector General of Police Shahabad Range, Dehri-on-Sone, Bihar
11. The Superintendent of Police Buxar, Bihar
12. The Deputy Superintendent of Police (Head Quarters) Buxar, Bihar
13. The Inspector of Police-cum-Station House Officer Buxar Town Police Station, Bihar
14. The Sub-Divisional Police Officer Buxar, Bihar
15. The Confidential reader Office of the Superintendent of Police, Buxar
16. The Reserve Sub Inspector of Police (R.S.I.) One Police Lines, Buxar
17. Arun Kumar Gupta Deputy Superintendent of Police (Head Quarters), Buxar, Bihar
18. Upendra Nath Sharma then Superintendent of Police, Buxar at present Superintendent of Police, East Champaran at Motihari, Bihar
19. Raghav Dayal then Inspector-cum-Station House Officer, Buxar at present Station House Officer, Chayanpur, Kaimur, Distt.-Bhabhua, Bihar
20. Sheshav Yadav then Sub Divisional Police Officer, Buxar, Bihar at present Additional Superintendent of Police East Champaran at Motihari



21. Subodh Kumar Inspector Circle Town, Buxar
22. Manoj Kumar then Deputy Superintendent of Police (Headquarters), Buxar through the Director General of Police, Patna
23. Rajendra Verma S/o Motilal Verma Mohalla-Benglaghat, P.s.-Buxar Town, Distt.-Buxar, Bihar
24. Dayanand Singh Inspector, Town Police Station, Buxar
25. Satish Kumar Sub-divisional Police Officer, Buxar
26. Anil Kumar Confidential Reader Office of the Superintendent of Police, Buxar
27. Stayendra Narayan Tiwari Reserve Sub-Inspector, Police Lines, Buxar

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Rohit Kumar, Advocate Mr. Manish Kumar No 13, Advocate
For the Respondent/s	:	Md.N.K.Khan (Sc1) Md. Fazle Karim, AC to SC-1

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT
Date : 28-01-2021

Heard learned counsel for the parties.

2. The petitioner, who is a constable in Bihar Police, was dismissed from service by order dated 06.07.2016 passed by the Superintendent of Police, Buxar. Along with petitioner some others had also faced the same departmental proceeding and they were also dismissed from service.

3. The petitioner and two others filed different writ applications and all were heard and disposed of by a common order dated 24.07.2018. A copy is at Annexure-1. The petitioner had filed CWJC No.7186 of 2017. The petitioner submitted before the writ Court that delinquent Dharmendra



Kumar had also faced the same departmental proceeding wherein punishment was awarded against him also and Dharmendra Kumar challenged his punishment in CWJC No.470 of 2018 and this Court set aside the punishment of Dharmendra Kumar in toto considering the serious lapses committed during the proceeding and Dharmendra Kumar was directed to be reinstated with all consequential benefit. A copy of the order dated 27.06.2018 of this Court passed in CWJC No.470 of 2018 Dharmendra Kumar V. The State of Bihar and Others is at Annexure-2. After considering Annexure-2 this Court quashed the punishment of the petitioner in CWJC No.7186 of 2017 (supra). However, remitted back the matter to the competent authority to proceed according to law. The competent authority has again issued memo of charge to the petitioner on 15.11.2018 contained in Annexure-3 whereby the Director General of Police has ordered for fresh initiation of the departmental proceeding and early disposal of the same.

4. Since fresh initiation of departmental proceeding against the petitioner is in pursuance of order of this Court passed in CWJC No.7186 of 2017, this Court is not inclined to interfere with Annexure-3 at this stage. Hence, this writ application is disposed of with liberty to the petitioner to



approach this Court at the appropriate stage if the grievance of the petitioner still remains unredressed.

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	01.02.2021
Transmission Date	

