

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7871 of 2020

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Murali Yadav, Gender-Male, aged about 33 years S/o-Baleshwar Yadav,
Resident of Village and P.O.-Bhitri Bandh, P.S.-Karamchat, District-Kaimur
at Bhabua.

... .. Petitioner

Versus

1. The State of Bihar through the Additional Chief Secretary, Home (Police) Department, Government of Bihar, Patna.
2. The Additional Chief Secretary, Home (Police) Department. Government of Bihar, Patna.
3. The Director General of Police, Bihar, Patna.
4. The Inspector General of Police, Muzaffarpur Zone, District-Muzaffarpur.
5. The Deputy Inspector General of Police, Saran Range, District-Chapra.
6. The Deputy Inspector Genial of Police (Personnel), Bihar, Patna.
7. The Superintendent of Police, District-Gopalganj.
8. The Sergeant Major-Cum-Conducting Officer, Police Kendra Gopalganj, District-Gopalganj.

... .. Respondents

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Appearance :

For the Petitioner	:	Mr. Y.V. Giri, Sr. Advocate Mr. Sanjay Kumar Giri, Advocate
For the Respondents	:	Mr. Nadim Seraj, GP 5

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL JUDGMENT

Date : 23-03-2021

Heard Mr. Y.V. Giri learned senior counsel
appearing on behalf of the petitioner and Mr. Nadim Seraj
learned Government Pleader No.5 appearing on behalf of the
State.

Petitioner is aggrieved by the order of dismissal



contained in Memo No. 1070 dated 15.06.2020 (Annexure-7).

Mr. Y.V. Giri, learned senior counsel appearing on behalf of the petitioner submits that in identical fact situation, dismissal orders of similarly circumstanced other constables and other police officials were set aside by the coordinate Bench of this Court. He placed reliance upon judgment dated 06.01.2021 passed in CWJC No. 7906 of 2020 (*Ananjay Singh @ Ananjay Kumar Singh Vs. The State of Bihar & others*) and also judgment dated 04.02.2021 passed in CWJC No. 7864 of 2020 (*Mithileshwar Singh Vs. The State of Bihar & others*).

Mr. Nadim Seraj, learned Government Pleader appearing on behalf of the State, would submit that the State has preferred LPA against the aforesaid judgments but there is no adjudication of the LPA. So long as the judgment of the coordinate Bench of this Court is standing, the Court is obliged to follow the aforesaid judgments of the coordinate Bench of this Court.

In order to maintain consistency, the present writ application is allowed in similar terms in the light of the judgment dated 06.01.2021 passed in CWJC No. 7906 of 2020 (*Ananjay Singh @ Ananjay Kumar Singh Vs. The State of Bihar & others*) and also judgment dated 04.02.2021 passed in CWJC



No. 7864 of 2020 (*Mithileshwar Singh Vs. The State of Bihar & others*).

(Anil Kumar Upadhyay, J)

BT/-

AFR/NAFR	NAFR
CAV DATE	N.A.
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