

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7890 of 2020

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Dineshwar Prasad Yadav, Gender-Male, aged about 50 years, S/o- Late Gaya Rai, Resident of Village- Mubarakpur, P.O.- Gurukul Mehinya, P.S.- Garkha, District- Saran (Chapra).

... .. 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 General of Police (Personnel), Bihar, Patna.
7. The Superintendent of Police, District- Gopalganj.
8. The Police Inspector-cum- Conducting Officer, Mirganj Circle, 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. Ruchikar Jha, AC to SC 8

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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. Ruchikar Jha, learned Assistant Counsel to Standing Counsel No. 8 appearing on behalf of the State.

Petitioner is aggrieved by the order of dismissal



contained in Memo No. 935 dated 10.06.2020 (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. Ruchikar Jha, learned Assistant Counsel to Standing Counsel No.8 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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