

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Writ Jurisdiction Case No.7883 of 2020**

Pushpendra Ojha, Gender-Male, aged about 47 years, S/o- Late Babuan Ojha,  
Resident of village and P.O.- Ojha ke Badheya, Barhee, P.S.- Jeeradai,  
District- Siwan.

... .. 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

**Appearance :**

For the Petitioner : Mr. Y.V. Giri, Sr. Advocate  
Mr. Sanjay Kumar Giri, Advocate  
For the Respondents : Mr. Saroj Kumar Sharma, AC to AAG 3

**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. Saroj Kumar Sharma,  
learned Assistant Counsel to Additional Advocate General No.3  
appearing on behalf of the State.

Petitioner is aggrieved by the order of dismissal



contained in Memo No. 1063 dated 15.06.2020 (Annexure-8).

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. Saroj Kumar Sharma, learned Assistant Counsel to Additional Advocate General No.3 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/-

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