

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.47496 of 2021**

**Arising out of**  
**CRIMINAL MISCELLANEOUS No.18423 of 2018**  
Arising Out of PS. Case No.- Year-0 Thana- District-

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Ramdeo Sah Son of Late Saryug Sah Resident of Village - Janar, P.S.- Aurai,  
District - Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Shambhu Sah, S/o Ramdeo Sah, Resident of Village - Janar, P.S.- Aurai,  
District - Muzaffarpur presently posted as an Assistant Teacher, Middle  
School, Sahil Baijnath, Anchal-Aurai- 11, P.S.- Hathauri, District-  
Muzaffarpur.
3. Shankar Kumar Hemant, S/o Ramdeo Sah, Resident of Village - Janar, P.S.-  
Aurai, District - Muzaffarpur, Earlier posted as T.T.I. Indian Rail, Solapur  
Junction (Maharashtra), Presently posted as B.C.E.O. Block- Maker, District  
- Saran.
4. The Block Education Officer, Aurai, District - Muzaffarpur.
5. The District Programme Officer, Establishment, Muzaffarpur.
6. The Branch Manager, State Bank of India, Red Cross Building, Muzaffarpur.

... .. Opposite Party/s

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**Appearance :**

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|--------------------|---|---------------------------------|
| For the Petitioner | : | Mr. Sunil Kumar Verma, Advocate |
| For the State      | : | Mr. Jharkhandi Upadhyay, APP    |

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**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH**  
**ORAL JUDGMENT**

**Date : 23-11-2022**

Heard Mr. Sunil Kumar Verma, learned counsel for the  
petitioner and Mr. Jharkhandi Upadhyay, learned Additional Public  
Prosecutor (hereinafter referred to as the 'APP') for the State.

2. In terms of order dated 02.11.2022, learned APP has  
filed counter affidavit on behalf of the opposite party no. 5 in  
which it has been stated that Rs. 2,500/-(Rupees Two Thousand  
and Five Hundred only) is being deducted from the salary of the



opposite party no. 2 and directly paid into the account of the petitioner. Copies of the details of the bank account have been annexed. It has further been stated that the opposite party no. 2 has given a cheque of Rs. 40,000/- (Rupees Forty Thousand Only) in favour of the petitioner for making such payment in future also.

3. Having regard to the aforesaid, the application stands disposed of.

4. However, it is observed that if in future there is any stoppage of payment to the petitioner, the opposite party no. 5 i.e., the District Programme Officer (Establishment), Muzaffarpur would be held responsible for such non-payment and liable to strict action against him.

**(Ahsanuddin Amanullah, J)**

Ranjeet/-

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