

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.201 of 2022

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Kumari Shweta @ Shweta Kumari, W/o Purnendu Tiwary, Resident of
Village - Bishunpura, P.O.- Bampali, P.S.- Bishunpur, District - Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary Govt. of Bihar, Patna.
2. The Home Secretary, Home Dept. Govt. of Bihar, Patna.
3. The D.G. of Police, Bihar, Patna.
4. The D.I.G of Police, BMP, Central Zone, Patna.
5. The Commandant, Mahila Shashatra Batalian, Sasaram, Rohtas.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ram Hriday Prasad, Advocate
For the Respondent/s : Mr.Ajay Kumar, AC to GP4

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 20-09-2022 Mr. Ram Hriday Prasad, learned counsel for the petitioner, submits that the petitioner was very young at the time she was implicated in the F.I.R., and the fact of her acquittal subsequently in the case is indicative of the false implication based on extraneous consideration. It is submitted that having regard to the decision of Hon'ble Apex Court in the case of *Avtar Singh vs. Union of India & Ors.* reported in (2018) 1 SCC 268, the petitioner would approach the Director General of Police for reconsideration of petitioner's enlistment in the Force.

Learned Counsel for the State submits that decision of the Hon'ble Apex Court has subsequently been clarified by the Apex Court in the decision in case of *Rajasthan Rajya Vidyut*



Prasaran Nigam Limited & Anr. vs. Anil Kanwariya reported
in ***(2021) 10 SCC 136***.

In view of the rival submissions, for facilitating consideration of the petitioner's claim in light of the legal position based on judgments taken note of above, and otherwise in accordance with law, writ application is disposed of.

If the petitioner files her application before the D.G.P. (Respondent No.3) within two weeks then a reasoned and speaking order would be required to be passed within three months.

(Madhuresh Prasad, J)

Shashank/-

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