

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.750 of 2022

Arising Out of PS. Case No.-508 Year-2018 Thana- SUPAUL District- Supaul

HIRA KUMARI W/o Shiv Nandan Kumar, D/o Srichandra Deo Yadav
Resident of Village- Orahi, P.s.- Ghailar, District- Madhepura, at present
residing at Shivpuri, Ward No.14, P.S.- and District- Saharsa... Petitioner
Versus

1. The State of Bihar through the Additional Chief Secretary, Bihar at Patna
2. The Director General of Police, Bihar, Patna
3. the Deputy inspector General of Police (vigilance), Bihar at Patna
4. The Deputy Superintendent, (Vigilance), Bihar at Patna
5. The Police Inspector, (Vigilance), Bihar at Patna
6. The District Magistrate Supaul, District- Supaul
7. Shyam Babu Prasad, name of father not known, Ex Police Inspector
Vigilance, Bihar at Patna
8. The S.H.O. Supaul P.S.- , District - Supaul
9. Atnu Datta, Inspector of Police Vigilance, Bihar at Patna
10. Arun Kumar, Son of not known, Inspectro of police Vigilance, Bihar at
Patna
11. Anil Kumar Singh S/o Umesh Prasad Singh Nagar Parishad, Supaul,
Vidyapuri, Ward No.2, Supaul, P.S. and District- Supaul ... Respondents

Appearance :

For the Petitioner : Mr.Girjanand Prasad, Adv.
For the Respondents : Mr.Suman Kumar Jha, AC to AAG III

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 29-04-2023 Counsel for the petitioner is directed to remove the
defect(s) within two weeks.

Heard learned counsel for the petitioner and the State.

The petitioner seeks relief for quashing of the first
information report bearing Supaul P.S. Case No. 508 of 2018,
dated 30.08.2018, registered under Sections 198, 420, 467, 468,
471, 477(A) and 120(B) of the Indian Penal Code.

Counsel for the petitioner submits that this case has



been filed under wrong impression as counsel submits that in the remarks column it has come that due to clerical mistake 615 was read as 619. An opinion has come that it is not considerable and matter was referred to the Block Development Officer for further action. Counsel submits that when the remarks column is very much clear that it is the clerical mistake then for the clerical mistake first information report may not be lodged, it may be quashed.

Counsel for the State also submits that from the remarks column it transpires that in the marks sheet total marks shown 615 which amounts to 68.37 per cent whereas upon calculation of marks in the marks sheet individually, it comes to the tune of 519 only. It has also come that in practical 96 marks has been shown, whereas the maximum marks in practical paper is 50 only. The conclusion of the Committee is that this appointment of the petitioner has been made illegally in connivance with the Mukhiya and Panchayat Secretary.

Upon going through the records and particularly the enquiry report mentioned in page 112 of the writ petition, this Court is of conclusive view that offence is made out and, therefore, this writ petition is **dismissed**.

(Dr. Anshuman, J)

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