

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15785 of 2023

Bhupendra Singh S/o Vidya Singh, Resident of Village - Garikhana, B.T. Road, G.P.O Ranchi, District - Ranchi, Jharkhand.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Bihar Prohibition and Excise Department, Bihar Patna.
2. The District - Magistrate, Siwan.
3. The Superintendent of Police, Siwan.
4. The Officer in Charge of Darauli Police Station, District - Siwan.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Adesh Raj Singh, Advocate Mr. Saurabh Kumar, Advocate Mr. Harshit Modi, Advocate Mr. Basant Kumar, Advocate
For the Respondent/s	:	Mr. Kumar Pankaj, AC to SC-5

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

4 30-11-2023 Pursuant to our order dated 10.11.2023, Mr. Binod Kumar, Deputy Superintendent of Police, Headquarter, Siwan, is present in the Court. He has filed show cause along with Annexure-6 (series), in which he has admitted that he has committed mistake in paragraph No.8 of the counter affidavit dated 10.11.2023 to the extent in not indicating the details of the subject matter of motor vehicle and he was also of the view that there were certain doubts. He has admitted that by oversight he has made such statement.

2. He is in the Class-II cadre and being a senior



official, such a mistake in the form of affidavit is deprecated and it is a clear case for initiation of criminal proceedings under Section 340 of Criminal Procedure Code for misleading this Court.

3. Perusal of the show cause and admission made by Mr. Binod Kumar to the extent that there is error committed by him while making statement at paragraph No.8 of the counter affidavit dated 10.11.2023. We proposed to impose fine instead of initiating proceedings under Section 340 of Criminal Procedure Code. Fine is quantified @ Rs. 10,000/- (Rupees Twenty Five Thousand Only). The fine shall be paid from his pocket in Patna High Court Legal Service Authority within a period of 4 weeks from today.

4. During pendency of the C.W.J.C. No.15785 of 2023, respondents have to redress the grievance of the petitioner.

5. Accordingly, the present petition stands disposed of.

(P. B. Bajanthri, J)

(Ramesh Chand Malviya, J)

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