

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.4385 of 2023**

Govind Mahto, Son of Radha Krishna Mahto, Resident of Village- Chauhatta,  
P.S.- Manpur, District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Home, Government of Bihar, Patna.
2. The Director General of Police, Bihar, Patna.
3. The Deputy Inspector General of Police (Personnel), Bihar, Patna.
4. The Commandant, Bihar Military Police, Muzaffarpur.
5. The Additional Deputy Director of Police-cum-Director of Bihar Police Academy, Bihar, Patna.
6. The Staff Selection Commission, Patna.
7. The Chairman of the Staff Selection Commission, Patna.
8. The Secretary of the Staff Selection Commission, Patna.

... .. Respondent/s

**Appearance :**

For the Petitioner/s : *None*  
For the Respondent/s : Mr.Upendra Kr. Singh, AC to GA 8

**CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI**  
**ORAL ORDER**

3      07-05-2024                      None appears for the petitioner.

2. Learned Advocate on behalf of the S.C.C. and the  
State-Respondents are present.

3. The petitioner was appointed as a Sub-Inspector of  
Police vide appointment letter dated 26<sup>th</sup> of June 2009 on being  
selected by the Bihar Staff Selection Commission. After  
appointment, the petitioner joined his training post on 1<sup>st</sup> of July,  
2009. Subsequently, on 10<sup>th</sup> of March, 2010, he received an  
order from the Deputy Inspector General of Police (Personnel),



Bihar, Patna (Respondent No. 3) and came to know that his service was terminated with immediate effect. Subsequently, the petitioner filed a writ petition bearing No. C.W.J.C. No. 7049 of 2015 before this Court. This Court passed an order on 23<sup>rd</sup> of April, 2019 directing the respondents to dispose of petitioner's representation in the light of the judgement passed in the case of ***Avtar Singh vs. Union of India & Ors*** reported in **(2016) 8 SCC 471** the petitioner filed a detailed representation before the Respondent No. 3. The said representation having been rejected, the instant writ petition has been filed.

4. On perusal of the counter affidavit filed on behalf of the State-Respondents, it is ascertained that before his appointment, the petitioner was implicated in a criminal case bearing Manpur P.S. Case No. 21 of 2002 dated 29<sup>th</sup> of September, 2002 under Sections 147, 148, 149, 452, 436 and 307 read with Sections 25(1-B)a, 26 and 27 of the Arms Act.

5. Since, the said information was suppressed by the petitioner and pendency of criminal case against the petitioner was only detected at the time of verification of his service, he was terminated in accordance with Rule 656(b) of Bihar Police Manual, 1978. Rule 656(b) states as follows:-

*“The Deputy Inspector General  
(Administration) will ensure that verification*



*Rolls in P.M. Form No. 101 are issued in respect of those for whom appointment letters are going to be issued. For this purpose, Superintendent may be directed to get in touch with the authorities concerned for getting it expedited.”*

6. In the verification form the petitioner made wrong entry and conceal the fact that he was an accused in connection with a criminal case which treated him disqualified and his candidature was liable to be declared unfit for government service.

7. In view of the matter, I do not find any scope to exercise extraordinary jurisdiction under Article 226 of the Constitution of the India by this Court.

8. The writ petition is, accordingly, dismissed on merit.

**(Bibek Chaudhuri, J)**

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