

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10040 of 2025

Yadvenra Kumar Yadav @ Yadavendra Kumar Yadav, (Male), aged about 33 years, S/o Shree Deo Sharan Singh Yadav R/o Anaith Chakia, P.S. Udwant Nagar, District-Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary Cum Legal Remembrance, Law Department, Government of Bihar, Patna.
2. The Law Secretary, Government of Bihar, Patna, Bihar.
3. The Joint Secretary Cum In-Charge Secretary, Law Department, Government of Bihar, Patna.
4. The District Magistrate, Bhojpur at Ara.
5. Rana Pratap Singh Advocate, Civil Court, Bhojpur at Ara P.P. Chamber Ara, P.S. - Ara Town, District – Bhojpur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Eashita Raj, Advocate Ms. Priyanka Singh, Advocate Mr. Adarsh Singh, Advocate
For the Respondent/s	:	Government Pleader (17)

CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

2 15-09-2025 Perusal of the reliefs sought in the present writ petition, it relates to appointment of Public Prosecutor at Bhojpur (Ara). It is a service condition, therefore, question of entertaining the public interest litigation is not appropriate remedy.

2. Be that as it may, petitioner has also sought for writ of *quo warranto*. In the absence of such relief, the present writ petition is not maintainable in the light of the Hon'ble Supreme



Court decision in the case of *Dr. Duryodhan Sahu and Others* vs. *Jitendra Kumar Mishra and Others* reported in (1998) 7 SCC 273 (Para 18) read with *Girijesh Shrivastava and Others* vs. *State of Madhya Pradesh and Others* reported in (2010) 10 SCC 707 (Para Nos. 14 to 19).

3. Accordingly, present writ petition stands disposed of as not maintainable reserving liberty to the petitioner to invoke remedy in filing writ of *quo warranto*, if so advised.

(P. B. Bajanthri, ACJ)

(Alok Kumar Sinha, J)

GAURAV S./-

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