

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11745 of 2022

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Shailesh Kumar Singh S/o Ramgovind Singh, Resident of Village-Budhasi,
P.S.-Mammadpur, District-Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The District Magistrate cum District Election Officer, Gopalganj.
3. The Sub-Divisional Officer-cum-Returning Officer, (99) Baikunthpur Legislative Assembly, District- Gopalganj.
4. The Election Commission of India, New Delhi.
5. The Chief Election Officer, Bihar, Patna.
6. Premshankar Prasad, S/o Late Devdat Prasad, resident of Village-Basghat Mashuriya, P.S.-Mahmmadpur, District-Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar, Advocate
For the State	:	Mr. Suman Kumar Jha (AC to AAG- 3)
For Resp. no.4 & 5	:	Mr. Siddhartha Prasad, Advocate

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 13-02-2025 Heard Learned Counsel for the petitioner, Learned Counsel for the State and Learned Counsel for Respondent nos.4 & 5.

2. Learned Counsel for the petitioner submits that the present writ petition has been filed in the nature of mandamus for directing the respondent authority to reject the nomination paper of the private respondent no.6 on the ground of false affidavit filed by him concealing the criminal antecedent as well as declaration of assets and liabilities. Further prayer has also been made for staying the election of 99, Baikunthpur



Legislative Assembly till final decision on the nomination paper of the private respondent no.6.

3. Learned Counsel for the petitioner submits that against private respondent no.6/returned candidate, election petition has been filed and he fairly submits that the present writ petition has become infructuous in the light of the bar created under Article 329(b) of the Constitution of India.

4. Learned Counsel for the State and Learned Counsel for Respondent nos.4 & 5 submits that Counsel for the petitioner has fairly argued in this matter.

5. In this background, this writ petition is hereby dismissed as infructuous.

(Dr. Anshuman, J)

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