

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.650 of 2025

In
Civil Writ Jurisdiction Case No.8783 of 2025

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1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
 2. The Director General of Police, Bihar, Patna.
 3. The Additional Director General of Police, Bihar, Patna.
 4. The Senior Superintendent of Police, Muzaffarpur, District - Muzaffarpur.
 5. The Senior Superintendent of Police, Darbhanga, District - Darbhanga.
 6. The Senior Superintendent of Police, Bhagalpur, District - Bhagalpur.
 7. The Superintendent of Police, District - Saran at Chapra.
 8. The Superintendent of Police, Samastipur, District - Samastipur.
 9. The Superintendent of Police, Araria, District Araria.
 10. The Superintendent of Police, West Champaran at Bettiah, District West Champaran at Bettiah.
 11. The Superintendent of Police, Banka, District - Banka
 12. The Superintendent of Police, Nalanda at Biharsharif, District-Nalanda at Biharsharif..

... .. Appellant/s

Versus

1. Amitabh Bachchan son of Ram Ashish Singh, resident of village- Ghardhi, P.S. Chausa, District Buxar, presently working as Constable No. C-1256, Nalanda Zila Bal, District - Nalanda at Biharsharif.
2. Murlidhar Singh, son of Dhruv Kumar Singh, resident of village- Osai, P.S. Bihiya, District -Bhojpur at Ara, presently working as Constable No. C-400, Muzaffarpur Zila Bal, District - Muzaffarpur.
3. Pankaj Kumar Ojha, son of Prem Sagar Ojha, resident of village and P.O. Nimej, P.S. Brahmpur, District - Buxar, presently working as Constable No. C-1230, Muzaffarpur Zila Bal, District - Muzaffarpur.
4. Md. Afzal, son of Md. Rojid, Resident of village Kayam Nagar, Ward No.5, P.O. Kayamnagar, District Bhojpur at Ara, presently working as Constable No. C-24, Saran Zila Bal, District - Saran at Chapra.
5. Dhananjay Kumar, son of Surendra Singh, resident of village- Asani, P.S. Udwant Nagar, District Bhojpur at Ara, presently working as Constable No. C-982, Darbhanga Zila Bal, District - Darbhanga.
6. Ramayan Yadav, son of Yadav Lal Prasad Yadav, resident of village and P.O. Bhopatpur, District East Champaran at Motihari, presently working as Constable No. C-673 Darbhanga Zila Bal, District Darbhanga.
7. Sujit Kumar Bharti, son of Rajendra Kumar Mandal, resident of village- Chakrami, P.S. Naryanpur, District-Bhagalpur, presently working as Constable No. C-749, Darbhanga Zila Bal District-Darbhangha.
8. Rajesh Kumar, son of Ravindra Chandra Ray, resident of village and P.O.



- Hansepur, District Nalanda at Biharsharif, presently working as Constable No.C-104, Darbhanga Zila Bal, District - Darbhanga,
9. Kamlesh Choudhary, son of Suresh Choudhary, resident of village- Baradih Tola, P.O. Mahuari, District Rohtas at Sasaram, presently working as Constable No. C-864, Samastipur Zila Bal, District Samastipur.
 10. Rajesh Kumar Pal, son of Ramashray Pal, resident of village and P.O. Harivashpur, District Rohtas at Sasaram, presently working as Constable No.C-1323, Darbhanga Zila Bal, District - Darbhanga.
 11. Raj Raushan Kumar Yadav, son of Surya Bansh Singh, resident of village- Urda, P.S. Chenari, District Rohtas at Sasaram, presently working as Constable No.C-484, Darbhanga Zila Bal, District - Darbhanga.
 12. Anju Kumari, wife of Amresh Kumar, resident of village and P.O. Lavapur Harnarayan, District - Vaishali at Hajipur, presently working as Constable No.C-89, Darbhanga Zila Bal, District - Darbhanga.
 13. Rima Kumari, wife of Anand Kumar Yadav, resident of village- Shahpur, P.O. Sahodih, District - Ballia (U.P.), presently working as Constable No. C-226, Darbhanga Zila Bal, District - Darbhanga.
 14. Rekha Kumari, daughter of Prabhu Pandit, resident of village- Pratappur, P.O. Panditpur, District - Lakhisarai, presently working as Constable No.C-535, Darbhanga Zila Bal, District - Darbhanga.
 15. Tishu Kumari, daughter of Suresh Kumar, resident of village- Bagh Chappar, P.S. Shahkund District Bhagalpur, presently working as Constable No. C-411, Araria Zila Bal, District - Araria.
 16. Beauty Kumari, daughter of Ram Bachan Sharma, resident of village- Jamuaon, P.S. Piro, District - Bhojpur at Ara, presently working as Constable No. C-437, Araria Zila Bal, District - Araria.
 17. Santosh Kumar Tiwari, son of Umakant Tiwari, resident of village and P.O. Dadar, District -Kaimur at Bhabhua, presently working as Constable No.C-390, Araria Zila Bal, District - Araria.
 18. Sonu Sharma, son of Amar Sharma, resident of village- Bakra Diya, P.S. Krishna Brahm, District Buxar, presently working as Constable No. C-71 Araria Zila Bal, District Araria.
 19. Shatrughan Kumar, son of Upendra Prasad, resident of village- Kundi, P.O. Darwara, District Nalanda at Biharsharif, presently working as Constable No. C-303, Araria Zila Bal, District - Araria.
 20. Binita Kumari, daughter of Jagdish Prasad Bari, resident of village- Ghosi, P.S. Hilsa, District Nalanda at Biharsharif, presently working as Constable No. C-98, Araria Zila Bal, District - Araria.
 21. Abhishek Kumar, son of Nawal Kishor Paswan, resident of village- Khonupur, P.S. Dipnagar, District Nalanda at Biharsharif, presently working as Constable No. C-173, Araria Zila Bal, District - Araria.
 22. Jay Prakash Ram, son of Abhimanya Ram, resident of village and P.S. Badaki Nainijor, District - Buxar, presently working as Constable No. C-15, Araria Zila Bal, District - Araria.
 23. Gautam Kumar, son of Shivjag Singh, resident of village- Sikariya, P.S. Bikramganj, District -Rohtas at Sasaram presently working as Constable No.



C-257, Araria Zila Bal, District - Araria.

24. Rajnath Ram, son of Nand Kishor Ram, resident of village and P.O. Diaman, District - Buxar presently working as Constable No. DPC -578 Muzaffarpur Zila Bal, District - Muzaffarpur.
25. Vinay Kumar Ray, son of Prayag Ray, resident of village and P.O. Munjiya, District - Kaimur at Bhabhua, presently working as Constable No.C-900 Bettiah Zila Bal, District - West Champaran at Bettiah.
26. Roma Kumari, wife of Jaynendra Kumar, resident of village- Mujnu, Ward No.8, P.O. Sisirta, District - Rohtas at Sasaram, presently working as Constable No.C-911 Bettiah Zila Bal, District West Champaran at Bettiah.
27. Bablu Kumar, son of Lal Babu Mahto, resident of village, P.O. and P.S. Koilwar, District -Bhojpur at Ara, presently working as Constable No.C-883 Bettiah Zila Bal, District - West Champaran at Bettiah.
28. Satyendra Kumar, son of Ram Kishor Rai, resident of village- Sengar Tola, P.S. Rivilganj, District Saran at Chapra, presently working as Constable No.C-543 Bettiah Zila Bal, District West Champaran at Bettiah.
29. Sarita Kumari, daughter of Umesh Prasad, resident of village- Bhatta, Ward No.4, District Nawada, presently working as Constable No.C-899 Bettiah Zila Bal, District - West Champaran at Bettiah.
30. Sanjay Sahani, son of Nagendra Sahani, resident of village- Asogi, P.S. Baiganiya, District -Sitamarhi, presently working as Constable No.C-773 Bettiah Zila Bal, District - West Champaran at Bettiah.
31. Sunil Kumar, son of Gupteshwar Ram, resident of village, P.O. and P.S. Chenari, District Rohtas at Sasaram, presently working as Constable No.C-714 Bettiah Zila Bal, District - West Champaran at Bettiah.
32. Shahnawaj Alam, son of Jamaludin, resident of village and P.O. Piyanaya, District Bhojpur at Ara, presently working as Constable No.C-890 Bettiah Zila Bal, District - West Champaran at Bettiah.
33. Bhupendra Kumar, son of Ajay Singh, resident of village- Daulatpur, P.S. Atari, District Gaya, presently working as Constable No.C-877 Bettiah Zila Bal, District - West Champaran at Bettiah.
34. Md. Ajajul Hak, son of Md. Mazahrul Hak, resident of village, P.O. and P.S. Madanpur, District - Aurangabad, presently working as Constable No.C-03 Bettiah Zila Bal, District - West Champaran at Bettiah.
35. Arun Kumar, son of Rajendra Prasad Sah, resident of village Bajitpur, P.O. Sanjohali, District Rohtas at Sasaram, presently working as Constable No.C-792 Bettiah Zila Bal, District West Champaran at Bettiah.
36. Subodh Kumar, son of Ramprabhav Singh, resident of village- Machhuaha, Ward No.3, District Sitamarhi, presently working as Constable No.C-326 Bettiah Zila Bal, District West Champaran at Bettiah.
37. Md. Imteyaz Alam, son of Murtuza Ahmad, resident of Ward No.23, Bikramganj, P.O. and P.S. Bikramganj, District - Rohtas at Sasaram, presently working as Constable No.C-965 Bettiah Zila Bal, District West Champaran at Bettiah.
38. Ajit Kumar, son of Hari Narayan Prasad, resident of village- Yamunapur, P.S. Auraia, District -East Champaran at Motihari, presently working as



Constable No.C-746 Bettiah Zila Bal, District West Champaran at Bettiah.

39. Santosh Das, son of Shambhu Das, resident of village- Dumariya, P.S. Kishanganj, District -Kishanganj, presently working as Constable No.C-156 Banka Zila Bal, District - Banka.
40. Mithilesh Kumar, son of Suresh Kumar, resident of village and P.O. Nadaon, District Buxar, presently working as Constable No.C-295 Banka Zila Bal, District Banka.
41. Santosh Kumar, son of Yugeshwar Singh, resident of village- Ahiyapur, P.S. Haspura, District - Aurangabad, presently working as Constable No.C-680 Banka Zila Bal, District - Banka.
42. Akash Kumar Singh, son of Shashi Bhushan Singh, resident of Road No.4, East Indira Nagar, Kankarbag, P.S. Kandarbag, District Patna, presently working as Constable No.C-672 Banka Zila Bal, District -Banka.
43. Birendra Ray, son of Sundar Ray, resident of village and P.O. Govindpur, District - Arwal, presently working as Constable No.C-594 Banka Zila Bal, District Banka.
44. Rajesh Kumar, son of Sitaram Singh, resident of village- Rampur, P.S. Suryagadha, District -Lakhisarai, presently working as Constable No.C-585 Banka Zila Bal, District - Banka.
45. Sanjit Kumar, son of Ragho Mahto, resident of village- Gopalvad, P.S. Saremra, District Nalanda at Biharsharif, presently working as Constable No.C-84 Banka Zila Bal, District - Banka.
46. Ajay Kumar, son of Shankar Das, Resident of village and P.O. Ganeshpur, District -Purnea, presently working as Constable No.C-416 Banka Zila Bal, District Banka.
47. Sanjay Kumar, son of Lalan Ray, resident of village- Ratanpura, P.S. Bhagwan Bazar, District -Saran at Chapra, presently working as Constable No.C-504 Banka Zila Bal, District - Banka.
48. Vinay Kumar Pandey, son of Shambhu Nath Pandey, resident of village- Utari Dahiyawa Tola, Chapra, P.S. Chapra, District Saran at Chapra, presently working as Constable No.C-185 Banka Zila Bal, District Banka.
49. Dharmendra Kumar, son of Lalan Prasad, resident of House No.A-75, Ibrahimpur, District West Delhi, presently working as Constable No.C-171 Banka Zila Bal, District - Banka.
50. Anil Kumar Sah, son of Kedar Nath Sah, resident of village and P.O. Anwal, District - Saran at Chapra, presently working as Constable No.C-662 Banka Zila Bal, District - Banka.
51. Shekh Parwej Alam, son of Shekh Makbul Alam, resident of village- Dhoban, Purab Patti, District Kaimur at Bhabhua, presently working as Constable No.C-560 Banka Zila Bal, District - Banka.
52. Vishal Paswan, son of Ramashish Paswan, resident of village- Bhagwan Bigha, P.S. Daudnagar, District Aurangabad, presently working as Constable No.C-618 Bhagalpur Zila Bal, District - Bhagalpur.
53. Ravindra Kumar Bharti, son of Ramashish Ram, resident of village and P.O. Jogia, Ward No.7 District West Champaran at Bettiah, presently working as Constable No.C-596 Bhagalpur Zila Bal, District - Bhagalpur.



54. Ravindra Kumar, son of Ramswarup Paswan, resident of village and P.O. Jalpura, Ward No.7 District Aurangabad, presently working as Constable No.C-1453 Bhagalpur Zila Bal, District - Bhagalpur.
55. Sonu Kumar, son of Mahendra Prasad Singh, resident of village and P.O. Pali, District Kaimur at Bhabhua, presently working as Constable No.C-1411 Bhagalpur Zila Bal, District - Bhagalpur.
56. Deepak Kumar Ram, son of Ram Pravesh Ram, resident of Ward No.18, Forbisganj, P.O. and P.S. Forbisganj, District Araria, presently working as Constable No.C-605 Bhagalpur Zila Bal, District - Bhagalpur.
57. Shashi Kumar, son of Bigan Ram, Resident of village- Khajura, P.S. Belay, District - Kaimur at Bhabhua presently working as Constable No.C-1466 Bhagalpur Zila Bal, District - Bhagalpur.
58. Rajeev Ranjan Paswan, son of Awdhesh Ram, resident of village- Araura, P.O. Dularpur, District Bhojpur at Ara, presently working as Constable No.C-245 Bhagalpur Zila Bal, District - Bhagalpur.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. P.K. Shahi, AG
Mr. Manoj Kumar (AC To GP 04)
For the Respondent/s : Mr. S.B. K. Mangalam, Sr. Advocate

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL JUDGMENT
(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

Date : 27-06-2025

Re.: I.A. No. 2 of 2025

The learned counsel for the petitioner presses I.A.

No. 2 of 2025 for condoning the delay of three days in preferring this appeal.

2. For the reasons stated in the application, the delay of three days in preferring this appeal is condoned.

3. I.A. No. 2 of 2025 stands allowed.



Re.: L.P.A. No. 650 of 2025

4. 19858 Constables of District Police Force were ordered to be transferred from one district/range to another on a time-frame basis.

5. This order was challenged by 58 writ petitioners on the ground that such mass transfer was ordered without there being any transfer policy of the State of Bihar.

6. The learned Single Judge took note of the fact that there was no policy regarding transfer in the State of Bihar. As such, by order dated 22.05.2025, the order of transfer of all the 19858 Constables was stayed till the next date of hearing.

7. The present appeal on behalf of the State questions the aforementioned order on several grounds one being that the transfers have been made after due verification and finding out that some of the Constables were posted in their districts/range for a very long time and such transfers were ordered only for administrative convenience.

8. The learned Advocate General has also pointed out that the contention of the writ petitioners that there is no



policy of transfer is incorrect. There is a specific policy with respect to transfer of Constables.

9. Considering the aforementioned facts, we vacate the order of stay with respect to the rest of the Constables, who are not writ petitioners before the Court.

10. The writ petitioners shall have the liberty to contest the case before the learned Single Judge.

11. The State shall also have the liberty to mention the case before the learned Single Judge for an earlier hearing of the matter.

12. The appeal stands disposed off to the extent indicated above.

(Ashutosh Kumar, ACJ)

(Partha Sarthy, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	30.06.2025
Transmission Date	

