

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14815 of 2025

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Rajeev Ranjan @ Rajiv Ranjan, son of Sheo Shankar Prasad, resident of Village / Mohallah - Chapra, P.S. -Akhorigola, District - Rohtas (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Principal Secretary, Panchayati Raj Department, Government of Bihar, Patna.
3. The Director, Primary Education, Education Department, Government of Bihar, Vikash Bhawan, Patna.
4. The District Magistrate, Rohtas.
5. The District Education Officer, Rohtas.
6. The Block Education Officer, Akhorigola, District - Rohtas.
7. The Block Development Officer, Akhorigola, District -Rohtas.
8. The Head Master, Middle School, Chapra, District Rohtas.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Abhishek, Adv.
For the Respondent/s	:	Mr. Standing Counsel (24)

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

2 09-09-2025 Heard learned counsel for the petitioner and learned counsel for the State.

2. The petitioner has filed the instant writ petition for the following reliefs:-

“I. For directing the Respondent Authorities to accept the rejoining of the Petitioner on the post of Panchayat Teacher, Government Middle School, Chapra within the



District Rohtas in view of the Order dated 19.04.2025 passed by this Hon'ble Court in Cr. Appeal (D.B.) No.955 of 2017 by which the Petitioner has been acquitted from the charges of criminal offence beyond the shadow of reasonable doubt.

II. For setting aside the Show Cause Notice dated 21.05.2025 issued by the Block Development Officer, Akhorigola, Rohtas by which the Petitioner has been asked to furnish show cause as to why his services should may not be closed / terminated due to absence of more than 05 years, instead of accepting the joining of the Petitioner on the post of Panchayat Teacher.

III. For directing the Respondent Authorities to take decision on the representation dated 25.06.2025 and 03.07.2025 filed by the Petitioner before the Respondent Authorities, by giving detailed facts and circumstances under which he was absent from the service on the post of Panchayat Teacher.

IV. Pass such other Order or Orders as your Lordships may deem fit and proper in view of the facts and circumstances of the present case.”

3. Learned counsel for the petitioner submits that in



the year 2003, the petitioner was appointed on the post of Shiksha Mitra in Government Primary School in the District of Rohtas, vide letter dated 12.05.2003, issued by the Mukhiya Gram Panchayat Raj, Baradhi, Block-Akhorhigola, District-Rohtas. The petitioner was working as Shiksha Mitra and in terms of the policy framed the said post was re-designated w.e.f. 03.07.2007 and continued to discharge on the post of Panchayat Teacher.

4. It has next been submitted by the learned counsel for the petitioner that the petitioner's marriage was solemnized with Priyanka Kumri on 28.02.2008, but under the suspicious condition she died on 11.11.2009, for which mother-in-law of the petitioner namely Anita Devi has filed a case against the petitioner bearing Akorhigola P.S. Case No. 117 of 2009, in which charge-sheet was submitted under Section 304(B)/34 of the I.P.C.

5. In the meantime, the petitioner was arrested by the Police and taken under Judicial custody and due to this reason he remained absent from service from 12.11.2009 to 30.11.2010. After obtaining regular bail, he submitted the application to the respondents authorities on 01.12.2010 and he was allowed to continue to work on the post of Panchayat Teacher.



6. Since, in the aforesaid case being Akhorigola P.S. Case No. 117 of 2009, charge-sheets were filed under Sections 304(B)/34 of the I.P.C., the trial commenced vide Sessions Trial No. 57 of 2010, in which, the petitioner was convicted on 30.05.2017 and order of sentence dated 01.06.2017 was passed.

7. Pursuant to the Judgment of conviction and sentence passed in the said Sessions Trial No. 57 of 2010, the petitioner filed a Criminal Appeal (D.B.) No. 955 of 2017, which was admitted for hearing on 19.04.2025 and after hearing the said appeal, the petitioner was acquitted from the charges levelled against him as the prosecution failed to prove the charges beyond all shadow of reasonable doubts.

8. It has next been submitted that after acquittal the petitioner again submitted an application before the Block Education Officer, Akhorigola on 10.05.2025 with a prayer to accept his rejoining on the post of Panchayat Teacher. But no order has been passed on the application submitted for re-joining.

9. It is the case of the petitioner that the representation, which is said to have been submitted before the Block Education Officer, District Education Officer and District Magistrate, appended with the present writ petition as



Annexure-P/5 series, at page-56 onward, has not been considered till date.

10. It is quite clear from the documents, which is said to have been appended after grant of bail for joining the service, and the petitioner having been allowed to join, the respondents may not have any reason not to accept joining, after acquittal in the aforesaid Akhorigola P.S. Case No. 117 of 2009 is recorded by the Hon'ble High Court vide Judgment dated 19.04.2025, passed in Criminal Appeal (D.B.) No. 955 of 2017.

11. The learned counsel for the petitioner has taken this Court to the show cause, which is said to have been issued by the Block Development Officer, Akhorigola to clarify as to why this petitioner remained absent, which is sufficient to show that the show-cause of the kind is issued without appreciating all the factual position obtaining on record. The show cause of B.D.O., is a thorough non application of mind, which needs to be examined by the District Magistrate, to issue necessary directions upon the authorities, competent in law to accept the joining, said to be submitted by the petitioner, appended as Annexure-5 to the writ petition, in accordance with law, without further precipitating the matter. Such necessary orders be issued within three weeks from the date of production of a copy of this



order to the District Magistrate, who shall take necessary steps for ensuring joining of the petitioner, so that the issues are finally put as rest, in so far the issues pertaining to the relief in question is concerned.

12. Accordingly, the instant writ petition is disposed of.

(Ajit Kumar, J)

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