

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16201 of 2025

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Utpalkant, Son of Ram Nagina Singh @ Nagina Singh, Resident of Village-
Chandinama, Police Station- Kashichak, District- Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Home,
Government of Bihar, Patna.
2. The District Magistrate, Nawada.
3. The District Commandant, Home Guard, Nawada.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ram Vinay Pd. Singh, Advocate
For the Respondent/s : Mr. Standing Counsel (23)

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CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

2 10-12-2025 1. By virtue of Advertisement No. 02 of 2011, the

Home Police Department, Nawada decided to appoint some

Home-guards for Kashichak Block. The said process of

selection was concluded in the year 2023 and the result was

published on 15th of December, 2023, whereby and whereunder

the petitioner was selected to the post of Home-guard and in the

merit-list, his name appeared at Sl. No. 2.

2. It is contended on behalf of the petitioner that all

remaining five selected candidates were appointed but the

petitioner was not appointed on the ground that two criminal

cases were pending against him.

3. It is submitted by the learned Advocate appearing

on behalf of the petitioner that at the time of initiation of



proceeding in the year 2011, no criminal proceeding was pending against the petitioner. Subsequently, two criminal cases were instituted against him, namely, Kashichak P.S. Case No. 141 of 2019, for the offences punishable under Sections 498A and other coordinate provisions of the Indian Penal Code. In the said case, the petitioner was acquitted. In another case, being Kashichak P.S. Case No. 356 of 2022, the petitioner is an accused for committing offences under Sections 307/379/504 and other allied Sections of the Indian Penal Code.

4. In the counter affidavit, the Respondents submit that in Form-G, which is required to be filled up before appointment, the petitioner disclosed about the said two criminal cases and for this reason, his candidature was rejected.

5. The learned Advocate appearing on behalf of the petitioner, on the other hand, has raised vehement objection against such averments made in Paragraph-7 of the counter affidavit, stating, inter alia, that no opportunity was given to the petitioner to fill up Form-G, as stated by the Respondents.

6. It is the contention of the learned Advocate appearing on behalf of the petitioner that without giving opportunity to explain the matter, the petitioner's candidature cannot be rejected.



7. The process of selection was completed in the year 2025. The appointment of the selected candidates to the post of Home-guards is preceded by a Police verification. When a process of appointment is made in the year 2025 and it is found on Police verification, irrespective of submission of any report by the petitioner or not, that a criminal case is pending on the date of appointment, he cannot be appointed as a Home-guard.

8. In view of such circumstances, I do not find any merit in the instant writ petition.

9. Accordingly, the instant writ petition stands dismissed.

(Bibek Chaudhuri, J)

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