

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.103 of 2025

Arising Out of PS. Case No.-83 Year-2021 Thana- AIRPORT District- Patna

1. Muklesh Kumar S/O Shatrughan Ram Resident of Banwaripur, P.O- Jaitipur, PS-Dariyapur, Dist.- Saran, Bihar
2. Pankaj Kumar Chaudhary S/O Dular Chand Chaudhary House no B1/30A Aurbindo marg, Hauz khas, South Delhi
3. Md Karim Azad S/o Md Ainul Haque Resident of Kajra, Umraoganj P.S.- Bihiya, Dist.- Bhojpur, Bihar
4. Biru Kumar S/o Raj Kumar Das Resident of Mohalla- Mustafabad, PO- Ramur, PS- Rampur, Dist.- Gaya
5. Amar Kumar S/O Bricha Prasad Yadav Resident of Bankta Jagirdari, Bisrampur, Bankata, Gopalganj Bihar

... .. Petitioner/s

Versus

1. The State of Bihar, through the Secretary, Home Department, New Secretariat, Bihar Patna
2. The Principal secretary, General Administration Department Government of Bihar Patna
3. The Chairman Bihar staff selection commission veterinary College Patna Bihar
4. The Secretary Bihar staff selection commission veterinary College Patna Bihar
5. The Superintendent of Police, Patna. Bihar
6. The Deputy Superintendent of Police, Patna. Bihar
7. The Officer-in-charge, Hawaii adda, Police Station. Patna. Bihar
8. Managing director, State Photo Bureau Criminal Investigation Department Bihar Patna. Patna
9. Director FSL Bihar, Patna Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Ms.Alka Verma
For the State	:	G.P.6
For the BSSC	:	Mr. Satyam Shivam Sundaram

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 03-07-2025

Heard learned counsels for the parties.

2. The petitioners have filed the present application for
quashing the FIR bearing Hawaii Adda P.S. Case No.83 of 2021,



registered under Sections 419, 420, 467, 468, 120B of the Indian Penal Code and 10 of Bihar Conduct of Exam Act, 1981. And for any other relief(s) to which the petitioners are found entitled to in the facts of the case.

3. The brief case of the petitioners is that the Bihar Staff Selection Commission invited applications vide Advertisement No.13010116 dated 22.06.2016 for the post of Vehicle Driver, in light of the order passed by the Court in MJC No.3375 of 2013. The date of online application was from 23.06.2016. The petitioners were fully qualified and fulfilled all the criteria and requirements as prescribed by the Bihar Staff Selection Commission, and hence they applied for the post of Vehicle Driver within the prescribed period along with copies of all required documents and certificates.

4. After scrutiny of the same, the Bihar Staff Selection Commission issued admit cards to the petitioners for the written examination. The Bihar Staff Selection Commission conducted the written examination on 23.09.2018 and at the time of the written examination, a video recording was conducted under CCTV surveillance. A sample of the candidates' handwriting was also taken along with their signatures during the written examination. At the time of the examination, biometric thumb impressions, photographs and video recordings of the candidates were taken.



Later, during the biometric verification process, the petitioners were informed that their thumb impressions did not match. However, no biometric verification report was provided to the petitioners, unlike in previous selection processes. Based on purely suspicion, an FIR was lodged against them.

5. From the arguments it appears that the learned counsel for the petitioners want this Court to go into the defence of the petitioners which is not permissible in view of the law laid down by the Supreme Court in the case of *State of Bihar vs. P.P. Sharma* reported in *1992 Supp (1) SCC 222*. Moreover, if the petitioners have grievance with regard to the delay in investigation or the case not being properly investigated, they can move before the concerned Court below for the redressal of their grievances in the light of the judgment of the Supreme Court in the case of *Sakiri Vasu vs. State of U.P. (2008) 2 SCC 409*.

6. With the aforesaid liberty, this application stands disposed of.

(Sandeep Kumar, J)

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