

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.4187 of 2024

In
Civil Writ Jurisdiction Case No.13304 of 2022

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Suman kumar Son of Anirudh Rai, Resident of Village- Dihu Tola, P.S.-
Madhuban, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Chief Secretary, Bihar Patna namely Amrit Lal Meena.
2. The Principal Secretary, Home (Police) Department, Bihar, Patna namely Arvind Kumar Chaudhary.
3. The Principal Secretary, General Administrative Department, Bihar Patna namely Dr. B. Rajender.
4. The Deputy Secretary, Government of Bihar namely General Administrative Department Bihar Patna namely Rajnish Kumar.
5. The Commissioner Tirhut Division, Muzaffarpur Bihar namely Shri Saravanan M.
6. The District Magistrate, East Champaran, Motihari namely Saurabh Jorwal.
7. The In-Charge Officer District General Section, East Champaran namely Yashwant Kumar.

... .. Opposite Party/s

with

Miscellaneous Jurisdiction Case No. 4067 of 2024

In
Civil Writ Jurisdiction Case No.14323 of 2022

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1. Vindeshwar Paswan son of Rajendra Paswan, Resident of Village- Mangurahah, Post- Rampur, P.S.- Chiraiya, District- East Champaran.
 2. Arjun Kumar, son of Sitaram Singh, Resident of Village- Chainpur Dhaka, P.O. and P.S.- Dhaka, District- East Champaran.
 3. Ram Ayaodhya Yadav, son of Gaya Yadav, Resident of Village and P.O.- Mathlohiyar Chhatwaniya Tola, P.S.- Harsidhi, District- East Champaran.
 4. Hari Shankar Kumar, son of Shaligram Rai, resident of Village - Chaknasiba, P.O.- Ibrahimpur Parsauni, P.S.- Fenhara, District- East Champaran.
 5. Upendra Paswan, son of Jagarnath Paswan, Resident of Village Majhi, P.O. Barwa, P.S. Adapur, District- East Champaran.
 6. Sanjay Kumar, son of Lakhindra Yadav, resident of Village Fazilpur, P.O. Tetariya, P.S. Rajopur, District- East Champaran.
 7. Shambhu Kumar, son of Late Rajmangal Prasad Yadav, son of Late Rajmangal Prasad Yadav, resident of Village and P.O.- Tetariya, P.S.-



Rajopur, District- East Champaran.

- 8. Pritesh Ranjan, son of Vijay Shankar Yadav, resident of Village and P.O.- Chalaha, P.S. Bajaria, District- East Champaran.
- 9. Rupesh Kumar, son of Shambhu Ray, resident of Village- Katkenwa, P.O. and P.S.- Mahuawa, District- East Champaran.
- 10. Bikash Kumar, son of Jagdeo Das, Resident of Village- Pachgachiya, P.O. and P.S.- Patahi, District- East Champaran.

... .. Petitioner/s

Versus

- 1. The State of Bihar, through the Principal Secretary, Home Department, Government of Bihar, Patna, namely Arvind Kumar Chaudhary.
- 2. The Principal Secretary, Home Department, Government of Bihar, Patna. namely Arvind Kumar Chaudhary.
- 3. The Principal Secretary, General Administrative Department, Government of Bihar, Patna, namely Dr. B. Rajender.
- 4. The Deputy Secretary, General Administrative Department, Government of Bihar, Patna, namely Rajnish Kumar.
- 5. The Commissioner, Tirhut Division, Muzaffarpur, namely Shri Saravanan M.
- 6. The District Magistrate, East Champaran, Motihari. namely Saurabh Jorwal.
- 7. The Selection Committee, represented through the District Magistrate, East Champaran, Motihari, namely Saurabh Jorwal, pursuant to Advertisement No. 01/2017.

... .. Opposite Party/s

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with

Miscellaneous Jurisdiction Case No. 4404 of 2024

In

Civil Writ Jurisdiction Case No.16667 of 2022

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Gulab Patel Son of Bhirgunath Patel, resident of Village - Karmawa, P.S. Dhaka, District East Champaran, at Motihari.

... .. Petitioner/s

Versus

- 1. The State of Bihar through the Chief Secretary Govt. of Bihar, Patna namely Sri Amrit Lal Meena.
- 2. Sri Amrit Lal Meena, the Chief Secretary, Government of Bihar, Patna.
- 3. Sri Arvind Kumar Choudhary, the Principal Secretary, Home (Police) Department, Govt. of Bihar, Patna.
- 4. Sri, Pratyaya Amrit the Additional Chief Secretary, Home (Police) Department, Govt. of Bihar, Patna.
- 5. Sri Sarvanan M. the Commissioner, Tirhut Division, Muzaffarpur.



6. Sri Saurabh Jorwal, the District Magistrate, East Champaran, Motihari.
7. Sri Sanjay Kumar, the District Employment Officer, East Champaran, Motihari.
8. Sri Yashwant Kumar, the Officer, in-Charge, General Administration Department, East Champaran, Motihari.

... .. Opposite Party/s

Appearance :

(In Miscellaneous Jurisdiction Case No. 4187 of 2024)

For the Petitioner/s : Mr. Vijay Shankar Shrivastava, Advocate

For the Opposite Party/s : Mr. M.N.H. Khan, SC-1

Ms. Babita Kumari, AC to SC-1

(In Miscellaneous Jurisdiction Case No. 4067 of 2024)

For the Petitioner/s : Mr. Ashish Giri, Sr. Advocate

Mr. Sumit Kumar Jha, Advocate

Ms. Riya Giri, Advocate

Mr. Prateek Raj, Advocate

For the Opposite Party/s : Mr. Ajay Kumar, AC to G.P.-4

(In Miscellaneous Jurisdiction Case No. 4404 of 2024)

For the Petitioner/s : Mr. Rashmi Jha

For the Opposite Party/s : Mr. Government Pleader 4

CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

11 29-08-2025 1. It is submitted by Mr. Ashish Giri, learned Sr. Advocate, through video conference, that the petitioners have already received appointment letters as per the order dated 7th of August, 2025, passed by this Court.

2. The State Respondents have also filed a supplementary affidavit, annexing a list of order, dated 4th of August, 2025, by virtue of which, the appointment letter was issued to the petitioners.

3. In M.J.C. No. 4404 of 2024, it is submitted by Ms. Rashmi Jha, learned Advocate



appearing on behalf of the petitioner that though the petitioner got the appointment letter, but he is not being allowed to join his service on the ground that a criminal case is pending against him.

4. In this regard, she also refers a recent decision of the Hon'ble Supreme Court, passed in the case of The State of Kerala & Ors. v. Durgadas & Anr. (SLP (C) No. 2188 of 2024) to the effect that mere pendency of a criminal case against an incumbent does not dis-entitled him from joining the service.

5. In this regard, this Court is not in a position to pass any order in view of the fact that the appointing authority has every right to examine the documents, antecedents and character of the successful candidate at the time of appointment. If on any ground any candidate is refused to be appointed, this raises a new cause of action, for which the petitioner is entitled to take appropriate action.

6. For this reason, this Court is not in a position to pass any order in M.J.C. No. 4404 of



2024.

7. Since, the Opposite Parties / State Respondents has complied with the order passed in C.W.J.C. No. 13304 of 2022 and other batch matters, the instant Contempt Applications are dropped on full satisfaction.

8. All the three Contempt Applications stands disposed of, accordingly.

(Bibek Chaudhuri, J)

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