

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.476 of 2025

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Rohit Kumar son of Sanjay Kumar, resident of village- Bhadseni, P.S. Hisua (Hishua), District- Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Director General of Police, Bihar, Patna.
3. The Inspector General of Police, Magadh Range, Gaya.
4. D.I.G. of Police, Personnel, Bihar, Patna.
5. S.P., Nawada.
6. Bihar Police, Subordinate Service, Commission through its Chairman near R.P.S. Law College, Raghunath Path, Patna.
7. Special Works Officer, Bihar Police Subordinate Service Commission, Near R.P.S. Law College, Raghunath Path, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ram Hriday Prasad, Advocate Ms. Maruti Kumari, Advocate Mr. Bijoy Kumar Sinha, Advocate
For the State	:	Mr. A.C. to AAG-5
For the B.P.S.S.C.	:	Mr. Sanjay Pandey, Advocate Mr. Nishant Kumar Jha, Advocate

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 14-07-2026 Heard learned counsel for the petitioner and learned
counsel for the respondents.

2. The petitioner has filed the instant application for
the following relief(s):

*“That this is an application for issuance of
appropriate writ, order or direction to set aside the
order of D.I.G. of Police (Personnel), Bihar, Patna
dated 02.05.2022 (Annexure-P-6) by which the
petitioner was declared unfit for appointment on the
post of STENO Assistant Sub-Inspector and order of*



D.G. of Police, Bihar, Patna dated 06.05.2024 (Annexure-P-9) by which appeal of the petitioner has been rejected. It is further prayed to direct the respondents to appoint the petitioner on the post of Steno Assistant Sub Inspector, in police department and for grant of all consequential benefits.”

3. The relevant facts in brief are that the respondent Bihar Police Subordinate Service Commission, Patna having come out with an Advertisement no.1 of 2020 for selection and appointment on the post of Steno Assistant Sub-Inspector of Police (‘Steno ASI’ in short), the petitioner filed his application and having participated in the selection process, the petitioner was selected. He was directed to appear in the office of the Director General of Police along with all original certificates etc. The petitioner appeared as directed and submitted all the required certificates.

4. It is further case of the petitioner that while filling up the character verification roll he gave information with respect to pendency of four cases which information on verification were found to be correct.

5. It is submitted by learned counsel for the petitioner that after verification of the pendency of the cases, in view of those cases, by order dated 2.5.2022 passed by the Deputy Inspector General of Police (Personnel) the petitioner was



declared ineligible for appointment. The appeal preferred by the petitioner was rejected by the Director General of Police, Bihar by order dated 3.5.2024. The petitioner has challenged the order dated 2.5.2022 of the Deputy Inspector General of Police (Personnel) and the order dated 6.5.2024 of the Director General of Police, Bihar rejecting his appeal in the instant writ application.

6. It is contended by learned counsel for the petitioner that even on the date of filling up of his verification forms, the petitioner had already been acquitted in three of the four cases and after completion of the verification, now in the fourth case, chargesheet has been submitted. It is submitted that the allegations levelled against the petitioner in the four cases are trivial in nature which would be evident from the contents of the FIR being in the nature of illegal dealing in sand and a case having been lodged by his aunt (*chachi*).

7. Learned counsel for the petitioner refers to the judgments of the Hon'ble Supreme Court in the case of ***Commissioner of Police & Ors. vs. Sandeep Kumar; (2011) 4 SCC 744*** and in the case of ***Avatar Singh vs. Union of India & Ors.; (2016) 8 SCC 471***. Referring to the case of ***Sandeep Kumar*** (supra), it is submitted that Hon'ble Supreme Court took



note of the fact that at a young age, people often commit indiscretions which can be condoned. The approach should be to condone minor indiscretions instead of branding them as criminals for the rest of their lives.

8. It is submitted by learned counsel for the petitioner that taking into consideration the observation of the Hon'ble Supreme Court in the case of ***Sandeep Kumar*** (supra) as also ***Avtar Singh*** (supra), the petitioner be granted liberty to move before the Director General of Police, Bihar for reconsideration of the order impugned dated 6.5.2024 whereby the appeal of the petitioner was rejected.

9. In view of the facts and circumstances as stated herein above, the petitioner is granted liberty to represent before the Director General of Police, Bihar (respondent no.2) for the grievances raised in the instant writ application.

10. In case such a representation is filed within a period of four weeks, the same shall be considered by the Director General of Police, Bihar taking into consideration the aforesaid two judgments of the Hon'ble Supreme Court in the case of ***Sandeep Kumar*** (supra) and ***Avtar Singh*** (supra) and the representation shall be decided within a period of three months from the date of its filing.



11. The writ application stands disposed of.

(Partha Sarthy, J)

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