

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.192 of 2026

In
Civil Writ Jurisdiction Case No.519 of 2026

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1. Bhola Nath @ Bhola Nath Jaiswal @ Bhola Nath Prasad Son of Late Shital Prasad @ Gillu Ram, Resident of Village Nagar Parishad and P.O- Bihat, Tola/Mohalla- Ibrahimpur, Ward No.- 32, P.S- Barauni (Now FCI), Sub Division and District- Begusarai.
 2. Vijay Kumar, Son of Bhola Nath @ Bhola Nath Jaiswal @ Bhola Nath Prasad Resident of Village Nagar Parishad and P.O- Bihat, Tola/Mohalla- Ibrahimpur, Ward No.- 32, P.S- Barauni (Now FCI), Sub Division and District- Begusarai.
 3. Vinay Kumar, Son of Bhola Nath @ Bhola Nath Jaiswal @ Bhola Nath Prasad Resident of Village Nagar Parishad and P.O- Bihat, Tola/Mohalla- Ibrahimpur, Ward No.- 32, P.S- Barauni (Now FCI), Sub Division and District- Begusarai.
 4. Ajay Kumar, Son of Bhola Nath @ Bhola Nath Jaiswal @ Bhola Nath Prasad Resident of Village Nagar Parishad and P.O- Bihat, Tola/Mohalla- Ibrahimpur, Ward No.- 32, P.S- Barauni (Now FCI), Sub Division and District- Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate cum District Collector Begusarai Begusarai.
2. Sri Srikant Shastri, the District Magistrate cum District Collector, Begusarai.
3. Shri Maneesh, the Superintendent of Police, District- Begusarai.
4. Sri Anil Kumar, the Sub Divisional Magistrate (SDM) of Sub Division Begusarai Sadar, District- Begusarai.
5. Mr. Suraj Kant, The Circle Officer, Circle- Barauni, District and Sub Division- Begusarai.
6. Sri Vinit Kumar, the Station House Officer, P.S.- FCI in the District of Begusarai.
7. Sri Ram Binod Thakur, Revenue Officer, Circle Barauni District-Begusarai Magistrate appointed to implement order dated 08.01.206 passed by the SDM Begusarai.
8. Sri Deepak Aryan, In Charge Circle Inspector Magistrate appointed to implement order dated 08.01.206 passed by the SDM Begusarai Sadar.
9. Sri Binod Kumar, Son of Late Amarnath Jaiswal, Resident of Village, Nagar Parishad and P.O- Bihar, Tola/ Mohalla- Ibrahimpur, Ward No.-32, P.S.- Barauni (Now FCI), Sub Division and District- Begusarai.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saket Kumar



For the State : Mr. P. K. Shahi, Advocate General
Mr. Madanjeet Kumar, GP 20
For O. P. No. 9 : Mr. Neeraj Kumar
Mr. Amritesh Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 6 01-05-2026 1. This Court, vide order, dated 03.04.2026, initiated contempt proceeding against Opposite Party Nos. 2 to 8, and directed them to appear in person before this Court for framing of charge.
2. Pursuant to the order, dated 03.04.2026, the contemnors were present in Court on 24.04.2026.
3. Mr. P. K. Shahi, learned Advocate General, submitted on that date that within one week, the contemnors shall purge the contempt and restore back the possession of the petitioners, who were evicted from the premises in violation of the interim order, dated 16.01.2026 passed by this Court, in CWJC No. 519 of 2026.
4. Mr. Saket Kumar, learned Counsel for the petitioners submits that at the time of evicting the petitioners from their house/premises, a large scale damage was done to the residential premises of the petitioners, the pipeline, the electricity line, the air conditioners, etc. were also pulled down and damaged. The possession has been restored, but all these damages have been left as it is and



the premises is not in habitable condition right now.

5. On this statement, this Court observed that let a sum of Rs. 5,00,000/- (five lakhs) be given to the petitioner for meeting the expenses to make the premises in habitable condition and in the same position as was prior to the eviction of the petitioners from the same.
6. The learned Advocate General, upon this, submits that the State Government may not be fasten with the liability of the illegal action of its officials and this Court may fix the liability upon the concerned officials, who were responsible for violating the interim order.
7. Mr. Madanjeet Kumar, learned Government Pleader No. 20, appearing for the State, and assisting the learned Advocate General, on 03.04.2026, had submitted before this Court that immediately after passing of the interim order by this Court, he talked to the deputed Magistrate Sri Ram Binod Thakur at 11:11 AM, 11:13 AM, 11:14 AM, 12:16 PM., and 12:17 PM, and informed him about the interim order passed by this Court. It was also submitted that the deputed Magistrate told learned G. P. 20, to inform the Sub Divisional Magistrate, Sadar Begusarai, upon which, learned G. P. 20 called the Sub



Divisional Magistrate at about 12:21 PM on the same date, i.e. 03.04.2026, but the call was not picked up and after 2 minutes 16 seconds, learned G. P. 20 received a call from the Sub Divisional Magistrate, Begusarai and he informed the Sub Divisional Magistrate about the interim order passed by this Court at about 12:29 PM. The reply of the Sub Divisional Magistrate was that he would first take legal advice from his legal advisor and would get back to him. learned G. P. 20 also talked to the Station House Officer, FCI Police Station, who told learned G. P. 20 to send the copy of the order and then only, the order would be complied.

8. It has been submitted by learned G. P. 20 as well as learned Advocate General that the District Magistrate, Begusarai and the Superintendent of Police, Begusarai, were not informed by their subordinates about the interim order passed by this Court and learned G. P. 20 was also not able to inform about the interim order of this Court to the District Magistrate, Begusarai and the Superintendent of Police, Begusarai.
9. As such, the submission is that whatever liability is there for violating the order passed by this Court is upon the



two deputed Magistrates, namely, Mr. Ram Binod Thakur, Revenue Officer, Barauni Circle and Mr. Deepak Aryan, the Incharge Circle inspector, Mr. Vinit Kumar, Station House Officer, FCI Police Station and Mr. Anil Kumar, the Sub Divisional Magistrate, Sadar Begusarai, and if the Court is of the view that the petitioners may be given certain amount for effective restoration of his possession, the Court may fasten the liability on the officials responsible for violating the order of this Court.

10. Considering the submission of the parties and the fact that the order passed by this Court, dated 03.04.2026 was violated, but the possession of the premises has now been restored to the petitioners, however not in the same habitable condition, which was existing at the time of passing of the interim order, this Court is of the considered view that the two deputed Magistrates, namely, Mr. Ram Binod Thakur, Revenue Officer, Barauni Circle and Mr. Deepak Aryan, the Incharge Circle Inspector, Mr. Vinit Kumar, Station House Officer, FCI Police Station and Mr. Anil Kumar, the Sub Divisional Magistrate, Sadar Begusarai, shall pay a sum of Rs. 1,25,000/- (one lakh twenty five thousand) each to



the petitioner no. 2, the eldest son of the petitioner no. 1, within a period of fifteen days from today, by way of RTGS/NEFT in the bank account of the petitioner no. 2, Vijay Kumar, i.e. S.B. A/c No. 30385260070, Barauni Fertilizer Township Branch, State Bank of India, having IFSC Code SBIN0002913, in order to meet the expenses in making the premises habitable.

11. The present contempt application is accordingly disposed, with the aforesaid observation and direction.
12. The personal appearance of Sri Srikant Shastri, District Magistrate, Begusarai, Sri Maneesh, Superintendent of Police, Begusarai, Sri Anil Kumar, the Sub Divisional Magistrate, Sadar Begusarai, Sri Suraj Kant, Circle Officer, Barauni Block, Sri Vinit Kumar, Station House Officer, FCI Police Station, Sri Ram Binod Thakur, Revenue Officer, Barauni Circle and Sri Deepak Aryan, the Incharge Circle Inspector, is dispensed with.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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