

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4597 of 2026

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Md. Ibran Son of Md. Rahim, Resident of village- Khajasarai, P.S.-
Laheriasarai, District- Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary Home Department, Bihar, Patna.
2. The Principal Secretary Home Department, Bihar, Patna.
3. The Jail Superintendent, Shahid Khudiram Bose, Central Jail Muzaffarpur.
4. The Superintendent Divisional Jail, Darbhanga.
5. The District Magistrate, Darbhanga.
6. The Senior District Commander, Bihar Home Guard, District- Darbhanga.
7. The Senior Superintendent of Police, District- Darbhanga.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Advocate
For the Respondent/s : Government Advocate (02)

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 31-03-2026 Heard learned counsel for the parties.

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

*“1. (i) For issuance of writ of
certiorari for quashing of memo No. 2079
dated 17.12.2022 Order No. 111/2022 issued
by Senior District Commander, Bihar Home
Guard Vahini, Darbhanga by which petitioner
has been dismissed from service as Home
Guard Force 309132, deputed in Division Jail
Darbhanga District Darbhanga.*

(ii) For issuance of writ of



mandamus commanding the respondent authority to reinstate to the petitioner on the post of Home Guard Force 309132, Darbhanga Jail Division, District Darbhanga in the light of memo No. 6659 dated 10.09.2024 issued by Commander, Bihar Home Guard Vahini, Patna by which directed to the Senior District Commander, Bihar Home Guard Vahini, Darbhanga, regarding allegation of petitioner.

(iii) For issuance of such other writs or orders or directions which may deem fit and proper for consideration of the fact and circumstances of this case.”

3. At the outset, learned counsel for the respondents submits that the petitioner has an alternate and efficacious remedy by filing an appeal against the order of punishment as per the provisions contained in Rule 16 (2) of the Bihar Home Guards Rules, 1953.

4. Having heard learned counsel for the parties and having perused the contents of the petition, the writ application is disposed of directing the petitioner to pursue the remedy available to him in law as provided under the Bihar Home Guards Rules, 1953.

5. On an application/appeal having been preferred by



the petitioner, the same shall be considered by the authority concerned in accordance with law.

6. The writ application stands disposed of.

(Partha Sarthy, J)

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