

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6998 of 2026

Rakesh Kumar Singh alias Rakesh Singh S/o- Late Tripurari Prasad Singh@Tripurari Prasad Resident of village Sonwan, P.S- Ghoshi, District- Jehanabad presently residing at-14, Vidyut Board Colony, Patna Sadar, L.B.S. Nagar, P.O.-L.B.S. Nagar, District- Patna-800023.

... .. Petitioner/s

Versus

1. The Election Commission of India through the Chief Election Commissioner, Nirvachan Sadan, Ashoka Road, New Delhi.
2. The Election Commission of India through its Secretary, Nirvachan Sadan, Ashoka Road, New Delhi.
3. State Election Commission, Bihar through Chief Electoral Officer, Bihar, Sardar Patel Marg, Mangles Road, Patna-800001.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Anupam Prabhat Shrivastava, Advocate
For ECI	:	Mr. Siddhartha Prasad, Advocate.
For SEC	:	Mr. Ravi Ranjan, Advocate.

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 29-06-2026

The petitioner by filing the instant Writ Petition seeks the following reliefs;

(i) For the issuance of an appropriate writ or any other order(s) or direction(s) to the Respondent authorities to immediately stay the Bihar Legislative Council Election to be conducted in the month of June 2026 during the pendency of the separate and respective Election Petition No. 1/2025 to Election Petition No. 24/2025 and Election Petition No. 27/2025 to Election Petition No. 42/2025 which have been filed by the various 40 candidates



against the Returned Candidates in the General Election to Legislative Assembly of Bihar, 2025.

(ii) For the issuance of an appropriate writ or any other order(s) or direction(s) to the Respondent authorities to immediately freeze the voting rights of the concerned Returned Candidates of (*sic*) in the General Election to Legislative Assembly of Bihar, 2025 in Bihar Legislative Council Election to be conducted in the month of June 2026 because against them the notices have been issued per direction of this Hon'ble Court in Election Petition No. 1/2025 to Election Petition No. 24/2025 and Election Petition No. 27/2025 to Election Petition No. 42/2025 and its adjudication is pending before the Hon'ble Court.

2. Having heard the submissions of the learned counsel for the parties *in extenso*, it is an admitted position by counsel for the petitioner that the concerned elections were already held on 18.06.2026 and was conducted by the Election Commission of India. That apart, it is brought to the notice to this Court and as is apparent from the prayers in this writ petition that the election petitions are also pending adjudication before another bench of this Court.

3. It is the specific submission of the counsel for the Election Commission of India that the petition is infructuous for the reason that the elections have already been conducted and secondly, in the foregoing circumstances, there can be no



directions to the respondent-authorities to immediately freeze the voting rights of the concerned returned candidates in the General Election to the Legislative Assembly of Bihar in Bihar Legislative Council Election, which, as already submitted, has already been conducted.

4. We notice that the petitioner is one of the parties to the election petition pending before this Court i.e. Election Petition No. 6/2025.

5. In light of the foregoing facts and circumstances, in the first instance, we point out that the petitioner, being an interested party in the election results as also the election petition, cannot be said to be filing the petition in public interest as evidently he has private interest. Secondly, the concerned elections having already taken place and the 40 persons having already exercised their voting rights, therefore nothing further remains for adjudication in the matter, which being found infructuous is dismissed and disposed of accordingly.

(Meenakshi Madan Rai, CJ)

(Soni Shrivastava, J)

devendra/-

AFR/NAFR	
CAV DATE	N/A
Uploading Date	01.07.2026
Transmission Date	N/A

