

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6197 of 2026

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Rajeev Ranjan @ Rajiv Ranjan Son of Sheo Shankar Prasad, resident of village/Mohallah - Chapra, P.S.- Akhorigola, District- Rohtas (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Principal Secretary, Panchayati Raj Department, Government of Bihar, Patna.
3. The Director, Primary Education, Education Department, Government of Bihar, Vikash Bhawan, Patna.
4. The District Magistrate, Rohtas.
5. The District Education Officer, Rohtas.
6. The Block Education Officer, Akhorigola, District- Rohtas.
7. The Block Development Officer, Akhorigola, District- Rohtas.
8. The Head Master, Middle School, Chapra, District- Rohtas.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Abhishek
For the Respondent/s : Mr. Kumar Pankaj, AC to SC-5

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 28-04-2026 Heard learned counsel for the petitioner and

learned counsel for the State.

2. The instant writ application has been filed for the

following reliefs:-

(i) For directing the respondent authorities to make payment or to consider the prayer of the petitioners regarding payment of his salary for the period from 30.05.2017 to 03.10.2025 by treating the same not the breakage of service period and further to provide salary protection like other teachers and to confirm his service on the post of



Block Teacher, Middle School, Chapra, Rohtas since the date of initial joining as the petitioner was not intentionally absent in the said period rather was under judicial custody in a criminal proceedings which he has been acquitted by this Court.

(ii) For directing the respondent authority to consider and decide representation dated 16.03.2026 filed by the petitioner which is pending before the respondent no.5.

(iii) For any other relief to which the petitioner is found entitled in the facts and circumstances of the case.

3. Learned counsel for the petitioner submits that for an allegation under Section 304B/34 of the Indian Penal Code in connection with Akhorigola P.S. Case No.117 of 2009, the chargesheet was submitted against this petitioner and he was put under trial vide Sessions Trial No.57 of 2010, in which the petitioner was convicted on 30.05.2017 and order of sentence dated 01.06.2017 was passed. It is the case of the petitioner that against the judgment of conviction, the petitioner filed Criminal Appeal (DB) No.955 of 2017, which was admitted for hearing on 19.04.2025, and after hearing, he was acquitted from all the charges and with the intervention of this Hon'ble Court, the joining has been accepted, but the period under judicial custody, according to this petitioner, is being treated as a breakage in service owing to which the petitioner is allowed salary which is



not at par with other similarly situated persons.

4. It is further submitted that there has not been any departmental enquiry initiated against the petitioner nor was he placed under any departmental proceedings and therefore, no order prejudicial to the interest of this petitioner is said to have been passed and since acquittal has already been recorded by this Court, therefore, the petitioner is entitled to back wages as also continuity in service for which there is already a representation filed before the District Education Officer, Rohtas at Sasaram, which is appended with the writ application as Annexure-P/5.

5. On the other hand, learned counsel for the State submits that since representation is already pending, the District Education Officer may be directed to take a final decision strictly in consonance with the law laid down on the issues and in reference to the judgment of acquittal recorded by this Court.

6. Considering the submissions of the parties, this Court deems it appropriate to direct the District Education Officer, Rohtas at Sasaram to adjudicate the claim of the petitioner, pursuant to the representation already filed, within a period of eight weeks from the date of receipt/production of a copy of this order.



7. It is made clear that if the claim of the petitioner is found genuine upon such adjudication, the benefits to which he is found entitled shall also be extended in his favour within the same time frame.

8. With the aforesaid observations and directions, the writ application stands disposed of.

(Ajit Kumar, J)

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