

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6932 of 2026

=====

Brajesh Kumar Son of Late Rampravesh Roy, Resident of village- Amarpur,
P.S. - Barauni (Chakiya), District- Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar through the Director General of Police, Bihar, Patna.
2. The Inspector General of Police, East Range, Bhagalpur.
3. The Superintendent of Police, Banka.
4. The Enquiry Officer- Cum-Sub- Divisional Police Officer, Baunsi, Banka.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Vinay Ranjan, Advocate
For the Respondent/s : Mr.Standing Counsel (07)

=====

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL JUDGMENT

Date : 05-05-2026

Heard learned counsel appearing for the petitioner
and learned counsel appearing for the State.

2. Learned counsel appearing for the petitioner
submits that the petitioner has filed the present writ petition for
quashing the order as contained in Memo No. 2002 dated
06.09.2024, issued under the signature of the Superintendent of
Police, Banka.

3. Learned counsel for the petitioner submits that
while the petitioner was posted as SHO, Pirpainti Police Station,
Bhagalpur in the month of January, 2024, he apprehended an
overloaded stone chips truck without a valid challan.
Subsequently, a complaint dated 08.07.2024 was filed before the



District Magistrate, Bhagalpur alleging illegal seizure of the said vehicle by the petitioner. In light of the said complaint, the District Magistrate, Bhagalpur, vide Letter No. 1716 dated 08.07.2024, directed the Additional Collector (Disaster Management), Bhagalpur and the Deputy Superintendent of Police (Headquarter), Bhagalpur to conduct an enquiry into the matter.

4. In compliance thereof, the Additional Collector (Disaster Management), Bhagalpur, vide Letter No. 931 dated 23.07.2024, directed the petitioner to appear and submit his defence. Learned counsel submits that the petitioner duly appeared and submitted his explanation, whereafter the matter was closed.

5. Learned counsel further submits that thereafter, the complainant approached the Vigilance Department alleging that the petitioner had amassed disproportionate assets, pursuant to which Vigilance P.S. Case No. 6 of 2024 dated 08.07.2024 was registered and a search was conducted at the petitioner's residence. Thereafter, vide Memo No. 2100 dated 10.07.2024, the Sub-Divisional Police Officer, Banka recommended initiation of departmental proceedings against the petitioner. Acting upon the said recommendation, the Superintendent of



Police, Banka, vide District Order No. 840 of 2024 contained in Memo No. 6045 dated 10.07.2024, placed the petitioner under suspension with immediate effect.

6. Learned counsel appearing for the petitioner Subsequently, vide Memo No. 1881 dated 23.08.2024, the petitioner was called upon to submit his explanation within three days regarding the proposed departmental proceeding. Thereafter, vide order dated 06.09.2024 contained in Memo No. 2002, the Superintendent of Police, Banka initiated a departmental proceeding against the petitioner, appointing an Enquiry Officer and a Presenting Officer, and served the charge memo upon the petitioner, as contained in Annexure P-8 series to the writ petition. The petitioner has challenged the said Memo No. 2002 dated 06.09.2024.

7. Learned counsel appearing for the State submits that the petitioner has challenged the charge memo instead of the suspension order, which is otherwise appealable.

8. In response, learned counsel for the petitioner submits that the suspension of the petitioner has already been revoked.

9. At this juncture, since the challenge is directed against the charge memo at the initial stage, this Court is not



inclined to interfere in the present writ petition.

10. Accordingly, the present writ petition stands dismissed.

(Dr. Anshuman, J)

Ashwini/-

AFR/NAFR	
CAV DATE	NA
Uploading Date	06.05.2026
Transmission Date	NA

