

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8754 of 2024

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Manoj Kumar Ram Son of Late Grahana Ram, Resident of Village- Basra, PS-
Majhauriya, District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar Through The Chief Secretary Govt. of Bihar, Patna.
2. D.G. of Police Bihar, Patna.
3. S.P. Bhojpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Shruti Sinha
For the Respondent/s	:	Mr. Government Pleader (27)

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL JUDGMENT

Date : 11-02-2026

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

2. The present writ petition has been filed for
quashing Memo No.4761/Ra.Ka. Dated 10.11.2012 issued by
S.P. Bhojpur contained in Annexure-P-2 whereby the petitioner,
who was a constable in Bhojpur district constable No.115, has
been dismissed from service as the same is illegal arbitrary and
bad in law and for further direction for quashing the order of the
DG of Police Bihar Patna Memo No.658/433966/L-1 dated
23.07.2019 whereby the mercy appeal of the petitioner has been
rejected i.e., Annexure-P-8, as the same is also illegal and for all
consequential benefits including reinstatement of the petitioner



in service or for any other order or others which this Hon'ble Court may deem fit and proper under the circumstances of this case.

3. Learned Counsel for the petitioner submits that the petitioner had earlier moved before this Hon'ble Court in CWJC 11729/2019 in which vide order dated 07.11.2021 liberty was granted to the petitioner to prefer mercy appeal. Learned Counsel submits that the mercy appeal has been rejected on the ground that after seven years it has been filed. Counsel submits that under compelling circumstances, the petitioner could not pursue the same. Therefore, he submits that a sympathetic view may be taken.

4. Learned Counsel for the State, on the other hand, submits that the departmental proceeding against the petitioner has been made after granting full opportunity to him and completely in accordance with law. There is no procedural mistake. He further submits that the petitioner is in habit of staying at house without any information to the authority concerned, which is apparent from the original as well appellate order. He further submits that even after getting liberty from this Hon'ble Court he is not serious. As such, he did not deserve any mercy.



5. In the light of the submissions made by the parties and from the record, it transpires that the petitioner has claimed that without any injury under Rule 843 he has been dismissed from the service and opportunity of defence could not be made. From the original and appellate order, it transpires that the pleading is not correct. Full opportunity has been given to the petitioner. As such, this Court finds that there is no merit in the instant writ petition. Accordingly, it is dismissed.

(Dr. Anshuman, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
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