

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.4950 of 2018

In
Civil Writ Jurisdiction Case No.4684 of 2018

=====

Subhash Kumar S/o Mahendar Prasad Mandal R/o Village- Dildarpur, Post-
Champanagar, P.S.- Nathnagar, Dist- Bhagalpur.

... .. Petitioner/s

Versus

1. The State Of Bihar Through The Principal Secretary Home Department,
Government Of Bihar and Ors Patna, Namely- Amir Subhani.
2. The Director General of Police-cum-I.G. of Police, Bihar, Patna. namely-
K.S. Dwivedi.
3. The D.I.G. of Police, Muzaffarpur, namely- Arun Kumar Singh.
4. The Commandant of BMP-15 Valmikinagar. Namely- Manjhu Jha.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ranjit Jha, Adv.
For the Opposite Party/s : Mr. Rajnish Shandily, AC to GA-11

=====

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 26-03-2026 Heard the parties.

2. The present application has been preferred:

*for initiating contempt of Court
proceeding against the contemnors/opp.
Parties for willful disobedience of the order
dated 24/09/2018 of CWJC No. 4684/2018
passed by the Hon'ble Mr. Justice Shivaji
panday, one of the Hon'ble Judge of this
Hon'ble high Court, by which the Hon'ble
Court has directed to the Superintendent of
police, Sitamardhi to consider the claim of
petitioner is similar to the claims of order
dated 04.02.2017 of CWJC No. 16102/2016
and its analogous for acceptance the joining*



of the petitioner after released on bail and make the entire benefits of the petitioner within a period of four weeks from the date of receipt/ production of a copy of the order of this writ along with the representation.

3. The show cause of opposite party no. 4 is on record and learned State Counsel has taken this Court to paragraph no. 8 to 13 which read as follows:

8. That it is relevant to mention here that it appears from the official record that out of 223 candidates only 217 candidates including the petitioner had appeared before the Commandant of IRB-3 Balmiki Nagar, Bagaha, IRB-3 Camp BMP-6 Muzaffarpur for joining. Here it is apt to mention that in course of physical test, matching of the photograph and verification of certificates found some defect. Hence the Commandant of IRB-3, Balmiki Nagar Bagha, Camp BMP-3, Muzaffarpur had sent memo no.925/R.O. dated 29.07.2015 and details of defects including the writ petitioner to the Central Selection Board (Constable Recruitment), Bihar, Patna for necessary directions.

9. That here it is important to point out that the Central Selection Board (Constable Recruitment), Bihar, Patna had enquired the matter meticulously and found



that they have used the rope of forgery for obtaining the employment on the post of Constable in Bihar Police, hence the authority of Central Selection Board (Constable Recruitment), Bihar, Patna had directed to this opposite party through letter dated 03.08.2015, vide memo no.570/CSB that to take action against (1) Subhash Kumar, Roll no.1038240362, (2) Amarjeet Thakur, Roll no.1041170559, (3) Sumit Kumar, Roll no.1041040452 (4) Pappu Kumar, bearing Roll no.2852320379.

10. That it is apt to point out that on the direction of the Authority (Constable of Central Selection Board Recruitment), Bihar, Patna this opposite party had sent a letter dated 04.08.2015, vide memo no.972/R.O. to the SHO of Mithanpura Police Station, Muzaffarpur against the petitioner and three above mentioned candidates. The SHO of Mithanpura Police Station, Muzaffarpur had lodged Case no.200 of 2015 dated 04.08.2015 against the named accused persons including the petitioner.

11. That it is necessary to point out that the Station House Officer of Mithanpura Police Station, Muzaffarpur had lodged FIR bearing Case no.200/15 dated 04.08.2015 for the committed offence under



sections 419/420/467/468/472/120(B) IPC against the four accused persons including the petitioner.

12. That it will be evident from the above mentioned fact and materials that the writ petitioner's allegations as alleged in the instant petition are totally wrong and baseless. After necessary enquiry the Central Selection Board (Constable Recruitment), Bihar, Patna found that petitioner and other persons were involved in forgery and misbehaviour act and has used the rope of forgery and misbehavior for obtaining employment on the post of Constable in Bihar Police which is violation of Articles 14 and 16 of the Indian Constitution. Hence, prayer of the contempt petitioner is not maintainable according to law. The question of the petitioner does not arise to pay the salary of the petitioner and reliefs, because the contempt petitioner was not appointed as Constable under control and jurisdiction of the Government of Bihar as Constable. The instant petitioner's selection was void-ab-initio.

13. That this official opposite party had sent a letter no.1950/R.O. dated 02.11.2018 in respect of the order with full information and fact. The cases of the instant contempt petitioner and the above



named accused persons are not same.

4. This Court is convinced that the order stands complied.

5. Granting liberty to the petitioner to agitate the matter before appropriate forum/Court, MJC No. 4950 of 2018 is disposed of.

(Rajiv Roy, J)

Vijay Singh/-

U			
---	--	--	--

