

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13813 of 2024

In
Civil Writ Jurisdiction Case No.6995 of 2019

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In view of Honble courts order dt. 19-07-2024 passed in CWJC No.6995 of 2019 based on W.P. (C) No. 183 of 2013 of Honble Apex Court.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary.
2. The Principal Secretary, Home, Govt. of Bihar
3. The Director General of Police, Govt. of Bihar.
4. Bihar Police Subordinate Services Commission, Patna through its Chairman

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Mahendra Pathak, Advocate
For the Respondent/s	:	Mr. P.K. Shahi, Advocate General
For Intervenor Petitioners:		Md. Mokhtar Ansari , Advocate
		Mr. Bachan Jee Ojha, Advocate
		Mr. Naving Kumar Jha, Advocate
		Mr. Sanjay Kumar Singh, Advocate
		Mr. Aman Vishal, Advocate
		Ms. Leelawati Kumari, Advocate
		Mr. Nilendu Kumar Choudhary, Advocate
		Ms. Akanksha Verma, Advocate
		Mr. Saurabh Kumar, Advocate
		Mr. Manoj Kumar Singh, Advocate
		Mr. Devesh Kumar Singh, Advocate
		Mr. Brajesh Verma, Advocate
		Mr. Sanjay Kumar, Advocate
		Mr. Amit Kumar, Advocate
		Mr. Anuj Dilbar, Advocate
		Mr. Krishna Mahendra Pathak, Advocate
		Mr. Nagendra Upadhyay, Advocate
		Mr. Ashwani Kumar Tiwary, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 16-01-2026

Heard learned counsel for the parties.

2. One Manish Kumar filed writ petition before the



Hon'ble Supreme Court which was registered as Writ Petition

(C) No. 183 of 2013 with following prayers:-

"A. Direction to all the States & Union Territories to constitute Police Commission to deal with allegation of police action, redressal of grievances of police and to make recommendations for the welfare of police force.

B. Directions to the States formulate to and implement the guidelines for prevention and control of violent mass agitations and destruction of life & property, in terms of the guidelines suggested by this Hon'ble Court in the decision reported as 2009(5)SCC 212.

C. Directions to the States and Union Territories to fill up the vacant posts in the Police and State Armed forces so that the police forces does not remain overburdened.

D. for Directions to all the States and Union Territories to provide periodic training and upgradation of police force and to fix the working hours for the police personnel.

E. Direction to the Union of India to prescribe guidelines for the Media Reporting of the violent mass agitation and police action for prevention and control thereof.

F. Order or Direction restraining the States from drawing a presumption against the action of police acting constitutional and under the statutory obligations."

The Hon'ble Supreme Court disposed of the matter vide order dated 11.03.2019 and in the operative part of the order, it has been observed that the records pertaining to each of the States including affidavits etc., be sent by the Supreme Court Registry to the Registry of the concerned High Courts with a request to Hon'ble the Chief Justice of the High Court



to entertain the matter on Judicial Side as *suo motu* Public Interest Litigation and monitor the prayers made from time to time, and on the basis of such order CWJC No. 13813 of 2024 was *suo motu* instituted. Several writ petitions were filed including contempt petitions and a Division Bench of this Court vide order dated 19.07.2024 in CWJC No. 6995 of 2019, has been pleased to pass the following order:-

“28. We find absolutely no reason to entertain the contempt case also. There is no deliberate contempt of the directions issued by this Court in *C.W.J.C. no. 15487 of 2011* and analogous cases and the petitioners in the contempt having failed in the selection have no surviving cause. The contempt case also would stand closed.

29. Ordered accordingly.

30. The Registry shall immediately register a *suo motu* case as per the orders of the Hon'ble Supreme Court as herein before directed.”

3. When this particular matter was taken up on 13.11.2025, the learned Advocate General was asked to file fresh counter affidavit indicating the present status with respect to the appointment of police personnel.

4. In terms of such order, supplementary counter affidavit has been filed on behalf of respondent no. 2 who is Under Secretary, Home Department (Police Branch), Patna, wherein, in paragraph no. 7, it is treated as follows:-

“7. That it is stated here that the consolidated reports submitted by the Police



Headquarter is as follows:-

(A) Report regarding recruitment for constables:-

(i) The final result for appointment to 21391 posts advertised under the Advertisement No. 01/2023 by the Central Selection Board (Constable Recruitment), Bihar was published in the year 2025, and the appointment of all 21391 recommended candidates have been completed.

(ii) Advertisement No. 01/2025 has been published by the Central Selection Board (Constable Recruitment), Bihar against 19838 vacant posts of constable. The appointment/ recruitment for filling the posts is currently under process.

(B) Report regarding recruitment for constable Drivers:-

Advertisement No. 02/2025 was published by the Central Selection Board (Constable Recruitment), Bihar for 4361 posts of constable drivers. The appointment/recruitment for filling the posts is currently under process.

(C) Report regarding recruitment for S.I. & Sergeant:-

(i) Advertisement No. 05/2025 was published by Bihar Police Subordinate Service Commission for 1799 posts of Sub Inspectors. The appointment/recruitment for filling the posts is currently under process.

(ii) Advertisement No. 03/2020 was published by Bihar Police Subordinate Service Commission for 215 post of Sergeant. The appointment of 213 recommended Sergeants has been completed in October, 2022.”

5. Learned Advocate General submits that these types of advertisements and appointments are continuous process and paragraph no. 7 would indicate the steps are being taken by the State in this regard and therefore, nothing remains to be



adjudicated in this *suo motu* writ petition.

6. After hearing the learned Advocate General and perusing the supplementary counter affidavit filed as referred to above, the proceeding stands closed.

7. All pending interlocutory applications of intervenor petitioners, stands disposed of.

8. Needless to say, that if any intervenor has any grievance, he is at liberty to file separate writ petition.

9. The writ petition stands disposed of.

(Sangam Kumar Sahoo, CJ)

(Rajeev Ranjan Prasad, J)

ranjan/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	17.01.2026
Transmission Date	NA

