

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.19402 of 2021**

---

---

Court on its own motion on the letter dt. 18.11.2021 from the District and Sessions Judge, Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Chief Secretary, Govt. of Bihar, Patna
3. The Director General of Police, Bihar.
4. The Principal Secretary, Home Department, Govt. of Bihar, Patna.
5. The Superintendent of Police Madhubani.

... .. Respondent/s

---

---

**Appearance :**

For the Petitioner/s :

For the State :

:

Mr. Vikash Kumar, SC 11

---

---

**CORAM: HONOURABLE MR. JUSTICE RAJAN GUPTA**

**and**

**HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**

**ORAL ORDER**

**(Per: HONOURABLE MR. JUSTICE RAJAN GUPTA)**

2     18-11-2021                     As per direction of Hon'ble the Chief Justice, the present case has been listed before this Bench for special hearing in view of unprecedented and shocking matter which has come to light in view of a report received from the In-charge District and Sessions Judge, Madhubani dated 18<sup>th</sup> November, 2021.

Letter No. 1993 has been received from the In-charge District and Sessions Judge, Madhubani in respect of physical attack and assault on Sri Avinash Kumar-I, Additional District and Sessions Judge, Jhanjharpur. He has reported that at about



2:00 PM, the Officer In-charge namely, Gopal Krishna, SHO and Abhimanyu Kumar Sharma, Sub-Inspector of Police, Ghoghardiha forcibly entered the Chamber of Sri Avinash Kumar-I, Additional District and Sessions Judge, Jhanjharpur and started abusing him. On his protest, both police officers started misbehaving and manhandling the Judge and not only this, they also physically assaulted him. They also took out their service revolvers and wanted to attack the officer. However, certain Court employees and Advocates reached their due to which life of the officer was saved.

*Prima facie*, it appears that this episode puts the independence of judiciary in jeopardy. We, thus, deem it fit to issue notice to the respondents no. 2 to 5 i.e., the Chief Secretary, Government of Bihar, Patna, the Director General of Police, Bihar, the Principal Secretary, Home Department, Government of Bihar, Patna and the Superintendent of Police, Madhubani.

The matter be listed on 29<sup>th</sup> November, 2021.

Mr. Vikash Kumar, learned SC 3 accepts notice on behalf of the respondents. The Additional Director General (Headquarter) of Police, who is also holding charge of Director General of Police, is also present.



In view of the magnitude and enormity of the issues involved, the Director General of Police, Bihar is directed to remain present on the next date of hearing.

In view of sensitivity of the issue, he shall look into the matter and file a status report in a sealed cover.

**(Rajan Gupta, J)**

**( Mohit Kumar Shah, J)**

Anjani/-

U			
---	--	--	--

