

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.46652 of 2014

Arising Out of PS.Case No. -22 Year- 2006 Thana -C.B.I CASE District- PATNA

1. Tripurari Prasad Son of Late Raj Kumar Prasad Sinha resident of village-
Chandoura P.S.- Kako, District- Jehanabad

.... Petitioner/s

Versus

The State of Bihar Through Cabinet Vigilance Department Patna

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saurabh Kumar, Adv.

For the State : Mr. Rama Kant Sharma (L.O I/C, Vig.)

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 16-07-2015

Heard learned counsel for the Petitioner and the State.

The Petitioner seeks quashing of the order of non-discharge dated 16.8.2014 passed by the Spl. Judge Vigilance 1st Patna, in Spl. Case No. 18 of 2006 arising out of Vigilance P.S. Case No. 22 of 2006 refused such a prayer.

It appears this Court had quashed the order of cognizance at some point in time on the ground of invalid sanction after which, the Vigilance Department once again sought sanction and on the very same material sanction was granted, charge sheet submitted upon which the case is Proceeding.

It has been submitted that once the Prosecution was quashed on the point of invalid sanction, it was a matter of contempt

to once again seek sanction on the same material and charge sheet the
Petitioner.

Considering that now sanction is not a point which
would justify quashing of Prosecution, as per the latest decisions, I
would not interfere in the matter.

The application stands dismissed.

The Trial Court is directed to conclude the Trial without
granting unnecessary adjournment to any Party for which reason, he is
directed to send a list of the witnesses **fixing specific dates** for
production of the witnesses along with a copy of this order in
connection with Spl. Case No. 18 of 2006 arising out of Vigilance
P.S. Case No. 22 of 2006, to the Superintendent of Police, Patna, and
the Superintendent of Police, Patna, is directed to ensure production
of the witnesses on the date so fixed by the Trial Court so that there is
no further delay in trial.

S.Ali/-

(Anjana Prakash, J)

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