

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.794 of 2013

Arising Out of PS.Case No. -null Year- null Thana -null District- PATNA

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1. Bindhyeshwari Prasad S/O Late Ram Saran Prasad Resident Of Village- Maizra,
P.S.- Silao, District- Nalanda, Presently Residing At E-14, Sadhnepuri, P.S.-
Gardanibagh, District- Patna.

.... Petitioner/s

Versus

1. The State Of Bihar
2. The Inspector General Of Police Cabinet Vigilance Department Of Bihar, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr.

For the Respondent/s : Mr.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 12-05-2015

The petitioner seeks quashing of the order dated 16.02.2013 by which the Special Judge Vigilance has rejected the application for discharge.

It has been submitted on behalf of the petitioner that in the year 1995 a first information report was instituted that a sum of Rs. 2,66,696/- was quantified being excess of his known sources of income. Subsequently when his house was raided articles worth Rs. 2,43,000/- and Rs. 2,66,696/-were seized. Hence the amount of Rs. 2,66,696/- rose to an amount of Rs. 5 lacs.

The petitioner is aggrieved with this exaggeration by the Vigilance Department at the current rate. His submission is that the

check period was between 1965 to 1988 and the articles which were recovered from his house in the year 1995 could not have been assessed at the present value and included in the check period.

Even though he may be justified in his submission so far as the amount is concerned but since the petitioner was charged with having amassed property beyond his known sources even at the stage of institution of the case and presently the issue is only with regard to the amount which will be adjudicated during trial, finding no merit in the application, the same is rejected.

(Anjana Prakash, J)

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