

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.817 of 2014

Arising Out of PS.Case No. -50Year- 2013 Thana –Vigilance District- PATNA

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1. Chandrawati Devi Wife of Arbind Kumar Singh Resident of Mohalla- Maripur,
P.S.- Kazi Mohammadpur, District- Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar through the Director General of Police, Vigilance
Investigation Bureau, Bihar, Patna
2. The Additional Director General of Police, Vigilance Investigation Bureau,
Bihar, Patna
3. The Superintendent of Police, Vigilance Investigation Bureau, Bihar, Patna
4. The Superintendent of Police, Vigilance Investigation Bureau, Muzaffarpur
5. The Superintendent of Police-cum- Station Head Officer, Vigilance Police
Station, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Singh, Adv.

For the Vigilance : Mr. Rama Kant Sharma, Sr. Adv.

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 24-08-2015

Heard learned counsel for the petitioner, learned counsel
for the State and learned counsel for the Vigilance.

By way of filing the present writ petition under Articles
226 and 227 of the Constitution of India, the petitioner has made
following prayers in paragraph 1 :-

“1. That, this writ application on behalf of the
petitioner above named is for the following

RELIEFS :

(I) For issuance of an appropriate writ in the nature
of MANDAMUS, commanding and directing
the Respondent Authorities to exclude/exempt
the property belonging in the name of the
petitioner from Vigilance P.S.Case No. 50 of
2013 dated 22.08.2013 which was lodged
against the husband of the petitioner namely
Arbind Kumar Singh by the Vigilance on the
ground that the property belonging in the name
of the petitioner was acquired by the petitioner

- from her won known source of income.
- (II) For a direction that the attachment of the property by the Vigilance belonging in the name of the petitioner which was acquired by the petitioner from her own source of income is illegal, arbitrary and beyond the law.
- (III) For issuance of any other writ/writs, order/orders, direction/directions for which the writ petitioner would be found entitled under the facts and circumstances of the case.”

The husband of the petitioner, namely, Arbind Kumar Singh has been made accused in the aforesaid Vigilance P.S.Case No.50 of 2013 dated 22.08.2013 registered under sections 13(2) read with 13(1)(e) of the Prevention of Corruption Act, 1988. The case is still under investigation. There is nothing on record on the basis of which it can be said that the property of the petitioner has been attached or confiscated by the Vigilance. The petitioner has not filed any application before the court of Special Judge, Vigilance, North Bihar, Patna where the matter is pending in respect of the reliefs prayed for in the present application.

In that view of the matter, I am of the opinion that in case the petitioner has any grievance, she should first approach the court concerned for the relief sought for in the present application.

With the aforesaid observation, the application is disposed of.

(Ashwani Kumar Singh, J)

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