

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.347 of 2015

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1. Ramji Prasad Son of Late Bhatu Prasad Resident of Mohalla - Naya Tola, Madhopur, Bakhtiyarpur, P.O. and P.S. Bakhtiyarpur, District - Patna

.... Petitioner/s

Versus

1. The State of Bihar through the Additional Director General , Vigilance Investigation Bureau, Bihar, Patna

2. The Superintendent of Police, Vigilance Investigation Bureau, Patna

3. The Police Inspector, Vigilance Bureau, Patna Respondent/s

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Appearance :

For the Petitioner/s : Mr. S.B.K. Mangalam with Ms.Anita Kuamri

For the Respondent/s : Mr. Ramakant Sharma (Law Off. Vig)

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 28-08-2015

Heard Mr. S.B.K. Mangalam, learned counsel for the petitioner and Mr. Ramakant Sharma learned senior counsel for the Vigilance.

The instant writ petition has been filed under Articles 226 and 227 of the Constitution of India for quashing the order dated 22.10.2013 passed by the learned Special Judge, Vigilance-1st, Patna in Special Case No. 31 of 2013, whereby and whereunder the learned Special Judge has rejected the petition filed by the petitioner for release of articles seized by the investigating agency from possession of the petitioner in connection with Special Case No. 31 of 2013 arising out of Vigilance P.S. Case No. 28 of 2013 registered under Section 13(2) read with 13(1) (e) of the Prevention of Corruption Act, 1988.

In view of an equally efficacious statutory remedy available to the petitioner under the Code of Criminal Procedure, I am not inclined to entertain this application in extraordinary writ jurisdiction.

At this stage, Mr. S.B.K. Mangalam, learned counsel for the petitioner seeks leave to withdraw this application in order to file an appropriate application in accordance with law under the Code of Criminal Procedure before this Court in the same subject matter.

Leave is granted.

The application is disposed of.

(Ashwani Kumar Singh, J)

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