

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19858 of 2010

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Smt. Priyanka Kumari, W/O Sri Sanjay Kumar, R/O Sheikhpura, Shantilok
Apartment, A/402, P.S.- Shastri Nagar, Distt.- Patna

.... Petitioner/s

Versus

1. The State of Bihar
2. The Chief Secretary, Govt. of Bihar, Patna
3. The Director General of Police, Bihar, Patna
4. The Additional Director General of Police, Vigilance Investigation Bureau, Patna
5. The Inspector General of Police, Vigilance Investigation Bureau, Patna
6. The Senior Superintendent of Police, Patna, District-Patna
7. The Superintendent of Police, Vigilance Investigation Bureau, 6, Circular Road, Patna
8. The Deputy Superintendent of Police, Deptt. of Vigilance Investigation Bureau, 6, Circular Road, Patna
9. The District Magistrate, Patna District
10. Sri Prakash Nath Mishra, S/O Sri Amarnath Mishra, Senior Dy. S.P., Vigilance Investigation Bureau, 6, Circular Road, Patna
11. Sri Shekhar Kumar, S/O Sri Shiv Narayan Prasad, Senior Dy. S.P., Vigilance Investigation Bureau, 6, Circular Road, Patna
12. Sri Chandra Prakash Paswan, Dy. S.P., Vigilance Investigation Bureau, 6, Circular Road, Patna
13. Sri Shiv Chandra Prakash Singh, Dy. S.P., Vigilance Investigation Bureau, 6, Circular Road, Patna
14. Smt. Manju Jha, Superintendent of Police cum Officer In-Charge Vigilance Investigation Bureau, 6, Circular Road, Patna
15. The Officer Incharge of Shastri Nagar Thana, Distt.- Patna
16. Sri Rajiv Ranjan Sinha, S/O Late Ashwini Kumar Sinha MIG 129, Lohia Nagar, Thana Kankarbagh, Distt.- Patna
17. The Commissioner of Excise and Prohibition Department, New Secretariat, Bihar, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr.Alok Kumar Sinha, Sr.Adv.
Mr. Indu Bhushan
Mr.Ashish Sinha

For the Respondent/s : Mr. Bijay Kumar Singh, AC to AAG-IX.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 19-03-2015

Heard.

The petitioner has filed the present writ petition under Article 226 of the Constitution of India questioning the validity and correctness of the seizure-cum-inventory list dated

12.06.2009, which was prepared in connection with Vigilance P.S. Case No.86 of 2009 giving rise to Spl.Case No.62 of 2009 registered for various offences under the P.C. Act, 1988 against the husband of the petitioner.

Indisputably, the issues raised herein can very well be raised and considered by the learned Special Judge, who is in seisin of the aforesaid Spl. Case No.62 of 2009. The present application seems to be completely misconceived and untenable at this stage. The petitioner, if so advised, may approach the learned Special Judge for grant of an appropriate relief.

Whether the properties in question, which have been seized by the Department of Vigilance, belong to the petitioner or her husband, who is an accused in the aforesaid criminal case, can be examined in a better way in the aforesaid Vigilance Case on the basis of the evidence produced by the parties.

In the factual matrix of the case, as noticed above, the present writ petition is dismissed with a liberty to the petitioner to raise all these issues, which have been raised in the present writ petition, in the aforesaid pending Vigilance Case before the learned Special Judge, Patna. However, there shall be no order as to costs.

(Birendra Prasad Verma, J)

Arvind/-

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