

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.678 of 2014

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

Ashok Kumar Yadav, son of Late Shambhu Prasad Yadav, resident of village and Post- Bhagar, P.S.- Gangpur Siswan, Distt.- Siwan

.... Petitioner

Versus

1. The State of Bihar through the Superintendent of Police, Vigilance Investigation Bureau, Patna
2. The Principal Secretary, Department of Health, Government of Bihar, Patna
3. The State Drug Controller, Government of Bihar, Patna

.... Respondents

Appearance :

For the Petitioner/s : Mr. Shekhar Singh, Advocate

For the Respondent/s : Mr. Santosh Kumar Pandey, AC to Mr. Ramakant Sharma (Sr. Advocate)

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 13-02-2015

Mr. Shekhar Singh, learned counsel petitioner submits that though the instant application under Articles 226 and 227 of the Constitution of India was filed for quashing of the first information report of Vigilance P.S. Case No. 61 of 2013 corresponding to Special Case No. 66 of 2013 registered for the offences punishable under Sections 406, 420, 120B and 409 of the Indian Penal Code but during pendency of the case since the

vigilance police submitted charge sheet and the learned Special Judge, Vigilance-1, Patna took cognizance of the offence on 01.07.2014, by filing Interlocutory Application No. 275 of 2015, the petitioner has prayed for quashing of the aforesaid order dated 01.07.2014.

Considering the subsequent developments in the case, in my view, the main prayer of the petitioner has become infructuous. So far as challenge to the order taking cognizance is concerned, the petitioner would be at liberty to challenge the same by filing an appropriate application in accordance with law.

With the aforesaid observation, the application is disposed of.

(Ashwani Kumar Singh, J.)

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