

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.114 of 2016

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

S.R.K. Prasad @ Surapaneni Rama Krishna Prasad & Ors

.... Petitioner/s

Versus

The Union Of India Through C.b.i./ A.C.B. Patna, Zone

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Nagendra Kumar Singh, Advocate

For the Respondent/s : Mr. Bipin Kumar Sinha, SC, CBI

CORAM: HONOURABLE MR. JUSTICE I. A. ANSARI

ORAL JUDGMENT

Date: 18-04-2016

Heard Mr. Nagendra Kumar Singh, learned Counsel,
appearing on behalf of the petitioner, and Mr. Bipin Kumar Sinha,
learned Standing Counsel, appearing on behalf of the Central Bureau
of Investigation.

In view of the fact that by order, dated 15.02.2016,
passed by the learned Special Judge, Central Bureau of Investigation-
III, Patna, cognizance has already been taken for the offences, under
Sections 13(1)(d) of Prevention of Corruption Act and Section 120B
read with Sections 420/468/471 of the Indian Penal Code, and the
said order has not yet been challenged coupled with the fact that the
petitioners do not have the statements of witnesses, recorded during
the investigation nor do the petitioners have copies of documents
filed along with the *charge sheet* by the Central Bureau of

Investigation, this writ petition, made under Article 226 of the Constitution of India, is *ex facie* not sustainable and is, therefore, dismissed, with liberty given to the petitioner to approach this Court with appropriate applications, in future, if so advised.

As far as the interim direction for bail passed by this Court is concerned, the same shall be subject to such further or other orders as may be passed by the learned trial Court.

Let the LCR be returned to the learned Court below.

Let the case diary be returned to the learned Standing Counsel, Central Bureau of Investigation.

With the aforesaid observations and directions, this writ petition stands disposed of.

(I.A. Ansari, ACJ.)

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