

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30060 of 2013

Arising Out of PS.Case No. -209 Year- 2013 Thana -TURKAULIYA District-
EASTCHAMPARAN(MOTIHARI)

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1. Bindhyachal Yadav S/O Late Kedar Yadav Resident Of Village
Semarahiya, P.S. Banjaria, District East Champaran, Motihari.

.... Petitioner/s

Versus

1. The State Of Bihar.
2. Lal Kishore Ram S/O Late Ramotar Ram Senior Accountant Officer,
District Village Development Agency, Motihari.
3. The State Of Bihar Through Vigilance

.... Opposite Party/s

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Appearance :

For the Petitioner/ : Mr. Sharda Nand Mishra, Advocate

For the State : Ms. Gulnar Begam, APP

For Vigilance Department : Mr. Ramakant Sharma, Senior Advocate

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 09-03-2016 Heard Mr. Sharda Nand Mishra, learned Counsel

for the petitioner, Ms. Gulnar Begum, learned Additional
Public Prosecutor, appearing on behalf of the State and Mr.
Ramakant Sharma, learned Senior Counsel, appearing for
the Vigilance Department.

Learned Counsel for the petitioner seeks
permission to withdraw this application as, according to
him, charge sheet has already been submitted by the police
upon completion of investigation. He seeks, however, a
liberty to raise a plea before the appropriate forum, at
appropriate stage to the effect that the Assistant Sub-
Inspector of Police, who has submitted the charge sheet,

had no jurisdiction to do so, in the light of the provisions as contained in Section 17 of the Prevention of Corruption Act.

It goes without saying that the petitioner shall be at liberty to raise any other plea at the time of cognizance, framing of charge or at the stage of trial, as he may be advised, in accordance with law.

This application stands disposed of as withdrawn with the liberty, as aforesaid.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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