

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15263 of 2016

Arising Out of PS.Case No. -103 Year- 2015 Thana -C.B.I CASE District- PATNA

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1. Dr. Shameem Shohreay Afaque Son of Late Chaudhary Mustak Hassan resident of village - Upar Tola, Chhoti Balia, P.S. Balia, District - Begusarai.
 2. Laldhari Chaudhary Son of Sri Ram Ekbal Chaudhary resident of village - Kura Nawada, P.S. - Parsa, District - Patna, The then Revenue Karamchari, Balia Anchal, District - Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar through the Inspector General cum Special Secretary, Vigilance Investigation Bureau 6, Circular Road, Patna.
2. Abdul Alim son of Kaji Salim resident of village - Borna, Police Station - Gogri, District - Khagaria.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nirmala Kumari
For the Opposite Party/s : Mr. Ramakant Sharma (Law Off. Vig)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 02-09-2016 None appears for the petitioner, however learned counsels for the informant and the State are present.

The present application has been filed for quashing the First Information Report of Vigilance P.S. Case No. 103 of 2015, arising out of Special Case No. 08 of 2014/22 of 2015 registered under Sections 465, 467, 468, 471, 420, 201, 120B of the Indian Penal Code and Section 13(2) read with 13(1)(d) of the Prevention of Corruption Act, 1988.

In view of this Court, the F.I.R of a cognizable offence can be quashed if the accusation does not constitute prima facie cognizable offence or the prosecution is barred under certain law. Hence, this Court is not inclined to

interfere. Moreover the case was registered on 09.12.2015 but there is nothing on record to suggest the present stage of the case.

Accordingly the application is disposed of with liberty to the petitioners to raise all the contentions after submission of the final report under Section 173(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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