

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45953 of 2013

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Bishun Narayan Singh S/O Late Sagar Singh Resident of Village- Nawada Ben, P.S.- Udwant Nagar, District- Bhojpur (Bihar) at present Qr. No.-1, Pesu Campus, New Secretariat Patna-1

.... Petitioner

Versus

1. The State of Bihar
2. Department of Vigilance through its Inspector General Govt. of Bihar, Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh

For the Opposite Party/s : Mr. Ramakant Sharma(Sr.L.O.(I/C Vig.))

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

6. 05-07-2016 Heard learned counsel for the petitioner and Sri Rama Kant Sharma, learned Senior Law Officer for the Vigilance Investigation Bureau.

The petitioner, invoking inherent jurisdiction of this Court under Section 482 of the Code of Criminal Procedure, has prayed for quashing of an order dated 23-09-2013 passed by the learned Special Judge, Vigilance Ist, Patna in Special Case No. 31 of 2010 (arising out of Vigilance P.S. Case No. 47 of 2010) registered for offence under Section 13(2) r/w 13(i)(E) of the Prevention of Corruption Act, 1988.

Learned counsel for the petitioner submits that prior to joining State service, the petitioner was working in TISCO and he

had received certain amount from the TISCO, which has also been clubbed together in the present case to show the property of the petitioner, as disproportionate to his known source of income. On aforesaid ground, he has made a prayer for quashing of the order, whereby his discharge petition was rejected.

Sri Rama Kant Sharma, learned Senior Law Officer for the Vigilance Investigation Bureau submits that whatever plea is being taken before this Court can be taken at defence stage. This is not the stage for examining such fact.

I do not find any ground for interference with the matter.

The petition stands dismissed.

It goes without saying that petitioner can take all the pleas at defence stage.

(Rakesh Kumar, J.)

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