

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.290 of 2015

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Nand Kishore Verma son of Late Krishna Nand Verma, the then Circle officer, Circle Bhagwanpur, District - Begusarai, resident of House No. 3, Road No. 5, Indrapuri, P.S. Patliputra, Town and District - Patna

.... Petitioner/s

Versus

1. The State of Bihar through Department of Vigilance, Patna, Bihar
2. The Principal Secretary to the Government Vigilance Department, Bihar, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Akhilesh Dutta Verma, Advocate
For the Respondent/s : Mr. Ramakant Sharma, L.O., I/C Vigilance
: Mr. Santosh Kumar Pandey, Advocate

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

6 18-08-2016 The petitioner and his wife Smt. Reena Verma, who had sworn affidavit before this Court stating therein that no gazette notification of declaration relating to the case in the official Bihar Gazette has been published, have tendered unconditional and unqualified apology for their previous affidavit and petition.

It is submitted by the learned counsel for the petitioner that there was some misconception of facts as a result of which such erroneous affidavit was filed before this Court. He seeks leave to withdraw the present application.

Mr. Ramakant Sharma, learned senior counsel appearing for the Vigilance has submitted that because of erroneous submission made by the petitioner, this Court, vide order dated

21.4.2015, had stayed the further proceedings in Confiscation Case No.9 of 2012 arising out of Vigilance P.S. Case No.101 of 2006 pending in the court of learned Authorized Officer -cum- Special Judge No.1, Vigilance, Muzaffarpur.

Though, this Court had taken a serious note of false affidavit filed before the Court, in view of unqualified and unconditional apology sought for by the petitioner and his wife, I do not deem it necessary to order for criminal prosecution of the petitioner or his wife.

The writ petition is dismissed as withdrawn.

The interim order of stay granted by this Court vide order dated 21.4.2015 stands vacated.

(Ashwani Kumar Singh, J)

Md.S./-

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