

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.310 of 2015

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

Bandana Kumari, W/o Bipin Chaudhary, Resident of Mohalla - Ashanandpur Road,
Urdu Bazar, P.S.-Tatarpur, District - Bhagalpur

.... Petitioner

Versus

1. The State of Bihar through Director General of Police, Government of Bihar,
Patna
2. Director General of Police, Government of Bihar, Patna
3. District Magistrate/Collector, Katihar
4. Superintendent of Police, Khagaria
5. Director, Vigilance, Government of Bihar, Patna
6. Superintendent of Police, Vigilance, Government of Bihar, Patna
7. Inspector of Police, Vigilance, Bhagalpur

.... Respondents

Appearance :

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

For the Respondent/s : Mr. Binod Ji Verma, GP-17

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 28-04-2016

By way of the present application preferred under Articles 226 and 227 of the Constitution of India, the petitioner seeks a direction to be issued to the respondent Nos. 5 & 6 to lodge a criminal case on report submitted by the respondent No. 7 as contained in Annexure-3 and investigate the matter by bringing it to

its logical conclusion by way of submission of charge-sheet and bringing the culprits to book for their acts of omission and commission.

The report, as contained in Annexure 3 to the present application, is preliminary inquiry report prepared by an officer of the Vigilance Police Station. The said report is confidential in nature. On query made by the Court, learned counsel for the petitioner has not been able to disclose as to how such a confidential document came into the possession of the petitioner.

In the opinion of this Court, on the strength of an illegally obtained document, the petitioner cannot seek a direction to be issued to the respondents to institute an FIR and investigate the same. The petitioner has no *locus standi* in the matter.

In that view of the matter, I do not find any merit in this application. Accordingly, the application is dismissed.

(Ashwani Kumar Singh, J.)

Sanjeet/-

AFR/NAFR	
CAV DATE	
Uploading Date	30.04.2016
Transmission Date	30.04.2016