

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.32177 of 2016**

Arising Out of PS.Case No. -1129 Year- 2012 Thana -ROHTAS COMPLAINT CASE District-  
SASARAM (ROHTAS)

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1. Manjeet Singh son of Lallan Singh resident of Village - Chandi, P.S.  
Akorhi Gola, District - Rohtas.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Jay Kumar

For the Opposite Party/s : Mr. Kanhaiya Kishore

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR  
SINGH**

**ORAL ORDER**

10    15-02-2017

In the background of chequered history of Mr. Jai Kumar Kumar, Advocate, this Court vide order dated 5.8.2016 directed for an enquiry since Mr. Jai Kumar's AOR No.01047 and Mr. Ran Vijay Kumar Singh's AOR No. 04609 were directed to remain under suspended animation and the issue of forgery was directed to be investigated by CBI by a co-ordinate bench of this court vide order dated 8.6.2016 passed in Cr. Misc. No. 18211 of 2016. Even then without a note on the file in this regard, the present Criminal Miscellaneous application was listed before the Court.

This Court disposed of the Cr. Misc. no. 32177 of 2016 vide order dated 5.9.2016 when Mr. Jai Kumar,



Advocate, appeared and gave an undertaking to appear before the Registrar (Vigilance) and file affidavit within four weeks stipulating the list of applications, with respective number and the stage of the proceeding, filed by him before this Court. He was directed to stipulate in the affidavit that he will regularly appear as and when directed by the Registrar (Vigilance) or CBI and the Registrar (Vigilance) was to transmit a Xerox copy of the said affidavit to the concerned Officer of the CBI and if CBI desires, then will supply the Xerox copy of such application filed by Mr. Jai Kumar. The relevant portion of the order reads as follows:

“Mr. Jai Kumar, having AOR No. 01047 undertakes to appear before the Registrar, Vigilance, to file an affidavit within four weeks stipulating the list of applications, with respective number and the stage of the proceeding, filed by him before this High Court. The affidavit will also stipulate an undertaking that he will regularly appear as and when directed by Registrar, Vigilance or CBI. The Registrar, Vigilance will transmit a Xerox copy of the said affidavit to the concerned Officer of the CBI and if CBI desires, then will supply the Xerox copy of such application filed by Mr. Jai Kumar.”

The above order also stipulated that “If the above mentioned affidavit is not being filed by Mr. Jai Kumar then the matter will be listed again after three weeks”.



Since Mr. Jai Kumar did not file any such affidavit, as reported by Registrar (Vigilance) hence the matter was listed before this court on 14.12.2016 for the said limited purpose when on the prayer of another Advocate on record Mr. Sanjay Kumar alias Manu, the matter was adjourned for 4<sup>th</sup> of January, 2017. Thereafter, again vide order dated 11.1.2017, on the prayer made by Mr. Sanjay Kumar alias Manu on the ground of illness of Mr. Jai Kumar, the matter was adjourned for three weeks. Again, vide order dated 25.1.2017, on the prayer of Mr. Sanjay Kumar alias Manu on the ground of serious illness of the mother of the arguing counsel Mr. Jai Kumar, the matter was adjourned for three weeks as last indulgence.

Today also, Mr. Jai Kumar, Advocate is not present. Mr. Sanjay Kumar alias Manu submits that in spite of several intimations, Mr. Jai Kumar is not appearing nor has he given any instruction. It is further submitted by Mr. Sanjay Kumar alias Manu that he has already reported the matter to the CBI. The report of the Registrar (Vigilance) dated 30.11.2016 suggests that Mr. Jai Kumar has neither appeared before him nor any affidavit in pursuance to the order dated 5.9.2016 has been filed.



In the circumstances, in view of the fact that the enquiry with regard to Mr. Jai Kumar, Advocate is pending before the CBI in pursuance to the order dated 8.6.2016 passed in Cr. Misc. No. 18211 of 2016, let the Registrar (Vigilance) transmit the copies of the orders dated 5.8.2016, 5.9.2016 as well as today's order i.e. order dated 15.2.2017 along with the reports of the Registrar (Vigilance) dated 24.8.2016 and 30.11.2016 to the C.B.I. for the needful.

Let the records of Cr. Misc. No. 32177 of 2016 and the administrative file containing the reports be transmitted to Registrar (Vigilance), Patna High Court.

**(Dinesh Kumar Singh, J)**

Anil/-

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