

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50743 of 2014

Arising Out of PS.Case No. -33 Year- 1990 Thana -C.B.I CASE District- MUZAFFARPUR

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Md. Kashim @ Md. Quasim Son of Md. Ayub R/o Village- Magahi Sarif,
P.S. Patahi, District-East Champaran. At Present posted as Peon in the
Office of District Education Officer, Motihari, East Champaran.

.... Petitioner

Versus

1. The State of Bihar Through Cabinet Vigilance, Bihar, Patna.
2. Sri Kamlesh Kumar, the then S.P (Vigilance) (Retired) Bureau of
Investigation, Patna Bihar, P.S. Case 33/99.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Jai Prakash Verma

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

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3. **24-11-2017** Heard learned counsel for the petitioner and

learned Assistant Counsel representing the Vigilance

Investigation Bureau, Patna.

The petitioner is aggrieved by order dated
18.06.2014 passed in Special Case No. 8 of 2002,
Vigilance P.S. Case No. 33/1990, by learned Special
Judge, Vigilance (North Bihar), Muzaffarpur.

A perusal of the order would show that it is a
case of the year 1990 in which the petitioner was seeking
adjournments time again and again. The trial court has
found that there are enough materials on the record to
frame charges under Sections 465, 467A, 201, 120B and
109 of the Indian Penal Code and Section 13(2) read with



13(1)(d) of the Prevention of Corruption Act, 1988.

It is well settled that at the stage of framing of charge the court has to only satisfy with the sufficiency of the materials to find out whether those are enough to satisfy the ingredients of the offence, it is not a stage where the court has to consider whether there are chances of ultimate conviction or not.

Thus, I find no illegality or infirmity with the impugned order. The court has been informed that the trial has already begun and evidences are being led in the trial court.

This application has no merit, it is, accordingly, dismissed.

The trial court is directed to take up this case on day to day basis and conclude it within a period of six months from the date of production of a copy of this order because it happens to be a 27 years old case which must come to a logical end.

(Rajeev Ranjan Prasad, J.)

Rajeev/-

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