

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.1100 of 2014

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1. Hemant Kumar S/o Sri Mahesh Prasad Singh Resident of village + P.O.
Jarang Rampur, P.S. Belsar Patedhi, District - Vaishali

.... Petitioner/s

Versus

1. The State of Bihar
2. The Director General, Vigilance Investigation Bureau, Govt. of Bihar,
Patna
3. Gupteshwar Pandey S/o Late Jagdish Pandey the then Deputy Inspector
General of Police, Tirhut Range, Muzaffarpur at present Additional Director
General of Police (Head Quarter) Govt. of Bihar, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Siyaram Sahi, Advocate
For the Vigilance : Mr. Ramakant Sharma Senior Advocate
With Mr. Rakesh Kumar Sharma

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 28-02-2017 The petitioner is aggrieved by an order, dated
22.10.2014, passed by learned Special Vigilance Judge,
Vigilance Court, North Bihar, Muzaffarpur, whereby he has
dismissed complaint case filed by the petitioner.

Learned counsel appearing on behalf of the
Vigilance Department has raised a preliminary objection as to
maintainability of this application relying on Section 9(2) of
the Bihar Special Court's Act, 2009 (hereinafter referred to as
the **Act**).

Learned counsel for the Vigilance has submitted
that only appeal can be maintained against any judgment
and order passed by the Special Court under Section 9(1) of



the Act and no revision can be maintained in view of specific bar under Section 9(2) of the Act.

I find substance in the preliminary objection raised on behalf of the Vigilance, which is sustainable.

This application is, accordingly, dismissed as withdrawn.

Learned counsel for the petitioner seeks liberty to question the legality of the impugned order in appropriate proceeding. That goes without saying. The liberty as sought for is granted.

(Chakradhari Sharan Singh, J)

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