

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.13844 of 2017

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Akhilesh Kumar, Son of Late Sachchidanand Singh, Resident of Village- Phulari,
P.S.- Sandesh, District- Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Department of Human Resources, Govt. of Bihar, Vikas Bhawan, Bailey Road, Patna- 800015.
3. The Director, Midday Food Scheme, Bihar, Patna.
4. The District Magistrate, Bhojpur at Ara.
5. The District Education Officer, Bhojpur at Ara.
6. The District Programme Officer (Establishment), Bhojpur, Ara.
7. The Additional Collector (Lok Shikayat Niwaran), District- Bhojpur cum First Appellate Authority, Bhojpur at Ara.
8. The District Public Complain Redressal Officer, Bhojpur at Ara.
9. The Block Development Officer, Sandesh, Bhojpur.
10. The Block Education Officer, Sandesh, Bhojpur.
11. The Block Education Extension Officer, Sandesh, Bhojpur.
12. Shri Jairam Singh, Son of Late Laldhari Singh, Resident of Village- Phulari, P.S.- Sandesh, District- Bhojpur, Ex-Headmaster, Noorpur, Block- Sandesh, District- Bhojpur.
13. Smt. Sushma Kumari, Wife of Late Bimal Singh, Panchayat Teacher at present Incharge Headmaster New Primary School, Yadav Tola, Phulari, P.S.- Sandesh, District- Bhojpur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dharnidhar Mishra

For the Respondent/s : Mr. Ashutosh Ranjan Pandey, AAG15

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 11-04-2018

Petitioner claiming to be a public-spirited person and seeking an enquiry by the Central Bureau of Investigation (CBI for brevity) against the activities of respondent no. 12 who is said to have committed various financial illegalities in functioning of four schools



in the area, this writ petition has been filed.

Apart from the fact that a direction for CBI enquiry into the matter cannot be issued, in view of the law laid down by the Supreme Court in the case of *State of West Bengal vs. Committee for Protection of Democratic Rights, West Bengal & Ors. [(2010) 3 SCC 571]* are of the considered view that FIR has already been lodged in the matter and in case investigation into the irregularities is not being conducted the petitioner may file a private complaint before the competent civil jurisdiction or approach the civil vigilance authorities of the State Government or Lok Ayukta Organization which are empowered to look into the complaint filed by the petitioner and issue direction to enquire into the matter.

Granting the aforesaid liberty to the petitioner, finding no ground for indulgence in exercise of our extra-ordinary writ jurisdiction under Article 226 of the Constitution, we dispose of the matter.

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

mrl./-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	13.04.2018
Transmission Date	

