

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.446 of 2019

Arising Out of PS. Case No.- Year-0 Thana- District- Samastipur

Dr. Amit Kumar Singh, Son of Ajit Kumar Singh, Resident of Village -
Mohiuddin Nagar, P.S.- Mohiuddin Nagar, Distt - Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Home,
Government of Bihar, Patna
2. The Director General of Police, Bihar, Patna.
3. The Inspector General of Police, Darbhanga
4. The Deputy Inspector General of Police, Darbhanga
5. The Superintendent of Police, Samastipur.
6. The Deputy Superintendent of Police, Sadar Samastipur
7. The Inspector of Police, Samastipur-cum-Officer Incharge, Samastipur
Town, Samsatipur.
8. Deepak Ranjan, Son of Shree S.P. Barman, Resident of Bhathat, PS-
Gulhariya, Distt – Gorakhpur, State-Uttar Pradesh (India).

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar Singh, Advocate
For the Respondent/s : Mr. Iqbal Asif Niazi, AC to GP-5

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL JUDGMENT

Date : 28-02-2019

This writ petition has been filed by the petitioner for directing the respondents to immediately institute first information report for the offences punishable under Sections 7 and 13 of the Prevention of Corruption Act, 1988 and 166A of the Indian Penal Code.



2. Learned counsel for the petitioner submitted that in discharge of official duty in the capacity of Superintendent of Police, Samastipur respondent no. 8 demanded Rs.80,000/- as bribe.

3. On query, learned counsel for the petitioner admitted that no report in respect of alleged demand was ever made either to the local Police Station or to the Vigilance Police Station. In absence of any report regarding a cognizable offence having been made to the Officer-in-Charge of a Police Station in terms of Section 154(1) of the Cr.P.C., the petitioner can not raise any grievance for non-registration of the FIR.

4. The prayer made in the writ petition is quite vague.

5. Even otherwise, mere demand in absence of any allegation of payment of bribe would not constitute any offence punishable under the Prevention of Corruption Act.

6. In view of the discussions made above, I am not inclined to accede to prayer made by the petitioner.

7. The writ petition is dismissed.

(Ashwani Kumar Singh, J.)

Sanjeet/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	02.03.2019
Transmission Date	NA

