IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 18782 of 2017

==========

1. Krishna Chaudhary, son of Late Bal Kishun Chaudhary, R/o Mina Bazar Ki Gali, Gulzarbagh, Patna-7, P.S. Alamganj, District-Patna.
2. Arun Kumar Rajak, S/o Late Ramji Rajak, R/o Swablambi Residency, Flat No. 211D, Daud Bigha, P.O. Bahadurpur Housing Colony, P.S. Agam Kuan, Distt.-Patna.

... ... Petitioner/s

Versus

1. The State Of Bihar
2. The Chief Secretary, Govt. of Bihar, Patna
3. The Additional Director General Cabinet Vigilance, Govt. of Bihar, Patna.
4. The Inspector General, Economic Offences, Govt. of Bihar, Patna.
5. The Registrar, Co-Operative Societies, Govt. of Bihar, Patna.
6. The District Magistrate, Patna Cum Liquidator of Liquidated Central Bank, Karmchari Swablambi Co-Operative Societies Ltd., Sakri Gali, Gulzarbagh, Patna.
7. The General Manager, Central Bank of India, Nariman Point, Mumbai, Pin-400021, Maharastra

... ... Respondent/s

==========

Appearance :

For the Petitioner/s	:	Mr. Chandra Bhushan Das, Advocate
For the E.O.U.	:	Mr. V.N.P. Sinha, Senior Advocate Ms. Soni Shrivastava, Advocate
For the Vigilance	:	Mr. Anjani Kumar, Senior Advocate
For the Bank	:	Mr. Ajay Kumar Sinha, Advocate
For the State	:	Mr. (Dr.) Mankeshwar Tiwary, A.C. to A.A.G.3

==========

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

4 25-03-2019 The petitioner no.1 Krishna Chaudhary and petitioner no.2 Arun Kumar Rajak are stated to be accused in Laheri (Nalanda) P.S. Case No. 155 of 2012 as disclosed in paragraph 10 of the affidavit filed by Shri Jai Prakash Pathak, the Deputy Superintendent of Police, Economic Offences Unit. The counter affidavit further discloses three other cases having been

WEB COPY

registered with regard to such embezzlement.

Learned counsel submits that the Society presently in question, namely, Central Bank Karmchari Swablambi Co-operative Society Limited is not concerned with the same.

We are unable to accept this inasmuch as one of the accused, namely, Dilip Kumar, Ex-Secretary-cum-Executive Officer and his wife Kiran Kumari have been chargesheeted as per the affidavit filed today.

Learned counsel submits that this writ petition has been filed in the interest of those investors whose money has been swindled and therefore an enquiry should be conducted.

No such person has come forward and we find that these petitioners have their own private interest involved in this matter inasmuch as they are accused in one of the P.S. cases as disclosed in the affidavit filed today. This is therefore not a *bona fide* public interest litigation, which deserves to be rejected.

Dismissed.

(Amreshwar Pratap Sahi, CJ)

(Anjana Mishra, J)

PNM/Saif

U			

WEB COPY