

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.170 of 2019

Arising Out of PS. Case No.-97 Year-2017 Thana- BEERPUR District- Begusarai

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1. Babita Kumari, W/o - Sandip Kumar
 2. Mamta Kumar, D/o - Indradeo Ram
- Both are resident of Village- Bhawabandpur, P.S.-Birpur, District – Begusarai.

... .. Petitioners

Versus

1. The State of Bihar through the Director General Vigilance Bihar, Patna.
2. The Director General of Vigilance, (Bihar), Patna.
3. The Police Inspector Vigilance, Bureau, Muzaffarpur, Zone, Muzaffarpur.
4. The Assistant Investigating Officer (Vigilance investigating Bureau comp office B.P. +2 High School, Begusarai) of Birpur P.S. Case No. 97/2017.

... .. Respondents

Appearance :

For the Petitioners : Mr.Amaresh Kumar Singh, Advocate
For the Vigilance : Mr.Anil Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 26-07-2022 Heard learned counsel for the petitioners and learned counsel for the Vigilance Investigation Bureau.

Petitioners are seeking quashing of the First Information Report bearing Birpur P.S. Case No. 97/2017 dated 08.08.2017 registered for the offence under Sections 467/468/471/420/120(B)/34 of the Indian Penal Code.

It is their common case that the Hon'ble High Court, while passing order dated 22.06.2015 in C.W.J.C. No. 15459/2014, had granted general amnesty to those teachers who come forward on their own and voluntarily submit their resignation within 15 days of publishing the notice by the Education Department. Annexure '2' to the present writ application is a copy of the order dated 22.06.2015



passed by the Hon'ble Division Bench of this Court.

It is submitted that these two petitioners had followed the order of the Hon'ble Court and submitted their resignation on their own on 08.07.2015 and 01.07.2015 respectively, therefore, lodging of the First Information Report against these petitioners is contrary to the general amnesty order of the Hon'ble Division Bench of this Court.

Mr. Anil Singh, learned counsel for the Vigilance Investigation Bureau does not dispute the aforesaid submissions. It is submitted that vide Annexure 'E' to the counter affidavit, the Inspector of Police, Vigilance Investigation Bureau has already communicated this fact to the Officer Incharge of Birpur Police Station. It is not disputed that the case of these petitioners are covered under general amnesty order.

In the aforesaid circumstances, this Court finds substance in the submission made on behalf of the petitioners. The First Information Report, in so far as it relates to these two petitioners, is hereby quashed, as a result thereof all subsequent proceeding against these petitioners will come to an end.

This application stands disposed off accordingly.

(Rajeev Ranjan Prasad, J.)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

