

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL CHAMBERS VIA VIDEO APPLICATION)
Criminal Writ Jurisdiction Case No.2172 of 2018**

Arising Out of PS. Case No.-548 Year-2017 Thana- ARA NAWADA District- Bhojpur

Uma Shankar Singh S/O Late Ram Pravesh Singh, Resident Of Village-
Basudeopur Chandel, P.S.- Mahnar, District- Vaishali, Bihar.

... .. Petitioner

Versus

1. The State Of Bihar Through The Principal Secretary Department Of Home,
Government Of Bihar, Patna
2. The Principal Secretary, Department of Home, Government of Bihar, Patna.
3. The Principal Secretary, Department of Education, Government of Bihar.
4. The Director General of Police, Bihar.
5. The Inspector General of Police H.Q., Bihar.
6. The vice-Chancellor, Veer Kunwar Singh University, Ara.
7. The Dean of Student Welfare, Veer Kunwar Singh University, Ara.
8. The Superintendent of Police, Bhojpur Ara.
9. The S.H.O. Nawada Ara, District- Bhojpur Ara.

... .. Respondents

Appearance :

For the Petitioner/s :

For the Respondent/s : Mr. Iqbal Asif Niazi, AC to GP 5

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 09-09-2022 No one appears for the petitioner.

This writ application is of the year 2018 and has
already remained pending for 14 years. This Court, therefore,
proposes to dispose of this writ application on the basis of the
materials available on the record.

This writ application has been filed seeking a writ in
the nature of Writ of Mandamus directing the respondent
authorities to transfer the investigation of Nawada(Ara) P.S.
Case No. 548 of 17 dated 23.11.2017 registered under Sections



404/420/120(B) of the Indian Penal Code to Vigilance Department of Government of Bihar for fresh investigation. According to the petitioner, the investigation of the case has not been conducted properly.

According to the petitioner, he is a lecturer in the Department of Philosophy in V.K.S. College, Dharupur, Bikramganj whereas all the accused of the case are the teaching staffs of the college. According to him, the Government of Bihar had released Rs. 32,98,439/- for payment of salary to the teaching and non-teaching staffs of the college through the Veer Kunwar Singh University, Ara which was released by the Government of Bihar on the basis of the result of the college for the Session 2008-11 and for Financial Year 2015-16. It is stated that a cheque was issued by the Registrar and other authorities of the university in the name of Principal of the college and the same was received by one Manoj Kumar Singh. The allegation is that the said cheque was encashed in the account maintained by the accused persons and as per norms, the cheque should have been issued in favor of "Veer Kunwar Singh College", but in connivance with the University authorities, the word "Principal" was prefixed before the name of the college when the post of Principal was vacant as a result whereof the cheque



was encashed by the accused person. In this regard, he wrote a letter to the Principal Secretary of the Department but no significant action could be taken. The allegation is that Akhilesh Kumar and Veer Bahadur Singh have distributed the salary amount among the staffs who are not legally appointed and that they are collecting the same amount from them. In this connection, the FIR in question was lodged. Allegation is that government funds have been misappropriated in the manner alleged in the FIR. According to him, the investigating agency is not interested in investigating in the matter and doing its duty and they are working in a very casual manner.

In the given facts and circumstances of the case, it appears to this Court that the basic grievance of the petitioner is that even though the FIR has been lodged, the investigation has not progressed.

Mr. Iqbal Asif Niazi, learned AC to GP 5 is not aware of the present stage of the investigation.

In these circumstances, instead of keeping this writ application pending, this Court disposes of the same in terms of the common order of this Court passed today in the batch of writ petitions being Cr.WJC No. 153 of 2017 and others.

If the investigation is still pending, the directions



issued by this Court vide common order shall equally apply in
the present case.

This writ application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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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'.

