

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.116 of 2017

Arising Out of PS. Case No.-36 Year-2016 Thana- VIGILANCE District- Patna

1. Suman Kumar Son of Surendra Singh, Resident of Village Nawrang Shahpur, P.O. and P.S. Karja Distt. Muzaffarpur.
2. Sanju Kumari, Wife of Anil Kumar Singh, Resident of Village- Dwarika Nathpur, P.O. and P.S. Karja Distt. Muzaffarpur.

... .. Petitioners

Versus

Vigilance Department Through I. G. Vigilance At Corcular Road P.O and P.S. Secretariat, Distt. Patna

... .. Respondents

Appearance :

For the Petitioner/s : Mr. Amit Anand, Advocate

For the Respondent/s : Mr. Arbind Kumar, L.O.,Inc., Vigilance

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

6 13-09-2022 These petitioners are seeking quashing of the first information report being Vigilance P.S. Case No. 36 of 2016 (Spl. Case No. 17 of 2016) pending in the court of Learned Special Judge Vigilance North Bihar, Muzaffarpur.

Pursuant to the last order dated 06.09.2022, Mr. Upendra Kumar, the Investigating Officer of the case is present with Mr. Arbind Kumar, learned Standing Counsel, Vigilance Investigation Bureau.

A counter affidavit has been filed on behalf of the Vigilance Investigation Bureau (hereinafter referred to as the 'Bureau'). In paragraph '9' of the counter affidavit the following statements have been made:

“9. That during investigation the I.O. of the case collected documentary evidences related to Teacher Appointment of said Gram



Panchayat and also recorded the statement of witnesses. After going through the evidence the I.O. of the case found that the evidence is not sufficient against the accused persons and accordingly he submitted final report number 48/2002 dated 10.09.2022 in this case before Learned Special Judge Vigilance, Muzaffarpur mentioning therein 'lack of evidence' against the accused persons including these petitioners."

In view of the stand taken in the counter affidavit, learned counsel for the Bureau submits that he would have no objection if the first information report itself is quashed.

Having regard to the materials noticed hereinabove and that after investigation the allegations made in the first information report have not been substantiated and learned counsel for the Bureau has taken a stand accordingly in paragraph '9' of the counter affidavit as also has no objection on quashing of the FIR, this application is allowed and the FIR being Vigilance P.S. Case No. 36 of 2016 (Spl. Case No. 17 of 2016) pending in the court of Learned Special Judge Vigilance North Bihar, Muzaffarpur as against the Petitioners is hereby quashed.

(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'.

