

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.1201 of 2018

Arising Out of PS. Case No.-101 Year-2015 Thana- VIGILANCE District- Patna

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Krishna Mohan Rai @ Krishna Mohan Roy S/o Ram Lalit Rai Resident of
Ram Nagar Pharshai Bazar,Pharshai Bazar,P.S. Janki nagar,Distt.-Purnia

... .. Petitioner/s

Versus

The State Of Bihar Through Vigilance

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Hemant Kumar, Advocate

For the Respondent/s : Mr. Anjani Kumar, L.O., I/C Vigilance

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CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

2 12-12-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. This revision application has been preferred for setting aside the order dated 04.09.2018 passed in Special Case No.58 of 2015 (arising out of Vigilance P.S. Case No.101 of 2015) under Section 13(2) read with Section 13(1)(e) of the P.C. Act, 1988 by the learned Special Judge Vigilance-1st, Patna whereby and whereunder the learned Court has been pleased to reject the release petition of the petitioner dated 12.09.2017.

3. In a case under Section 13(2) r/w 13(1)(e) of the Prevention of Corruption Act, 1988, a sum of Rs.10,15,000/- was seized from the possession of one Subodh Kumar Jha, by the Inspector-cum-Inquiry Officer, Vigilance, Patna.

4. The petitioner is a contractor under State Food



Corporation and his duty is to transport the goods of Food Corporation of India to the different godowns of the State Food Corporation. However, the goods transported through the railway wagon did not arrive at Purnia Station on 20.09.2015, only a portion of goods arrived it was unloaded and again uploaded in the trucks to send them to different godowns. The petitioner spends certain money for loading and unloading money and also for payment to the truck drivers, an amount of Rs.10,15,000/- was kept in the residence of Mr. Subodh Kumar Jha. During the inquiry, the residence of Mr. Subodh Kumar Jha, District Manager, Bihar State Food Corporation, Purnia was searched and the said money was recovered. The petitioner previously filed an application for return of the said seized money to him. However, the said petition was rejected.

5. Being aggrieved, he has filed the instant criminal revision.

6. It is submitted by the learned advocate for the petitioner that in the Special Case No.58 of 2015, charge sheet has already been submitted, all documents relating to recovery of money, source of money etc. have been filed with the charge sheet. Therefore, he intends to renew his prayer in the Trial Court.



7. In such circumstances, on the basis of submission made by the learned advocate for the petitioner, the instant revision is dismissed. However, the petitioner would be at liberty to renew his prayer before the learned Special Judge, Purnia under Section 457 of the Cr.P.C.

(Bibek Chaudhuri, J)

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