

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1352 of 2017

Arising Out of PS. Case No.-401 Year-2014 Thana- SAKRA District- Muzaffarpur

Sudhir Kumar S/o Late Bhupneshwar Prasad At present Assistant Statistical Officer, District Statistical Office, Muzaffarpur.

... .. Petitioner/s

Versus

1. The State Of Bihar Through D. G. P. Bihar, Patna
2. The State of Bihar through the Vigilance investigation Bureau, Bihar, Patna.
3. Senior superintendent of Police, Muzaffarpur.
4. Officer-in-Charge, Sakra Police Station, Muzaffarpur.
5. Amit Kumar, S/o Bijay Kumar Sinha, Resident of Village- Sakra Faridpur, P.S.- Sakra, District- Muzaffarpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar @ S.K., Advocate
For the Respondent/s : None

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

5 13-07-2023 The present application has been filed for quashing of the F.I.R vide Sakra P.S. Case No. 401 of 2014 arising out of Complaint Case No. 191 of 2012 registered for the offences under Sections 13, 14 of Prevention of Corruption Act.

2. The informant has died, therefore, there is no need of issuing notice upon informant.

3. The short submission of learned counsel for the petitioner is that the present F.I.R was filed by the private person and therefore, the entire prosecution of the petitioner including the F.I.R is not maintainable, in view of the law laid down by *Hon'ble Supreme Court in case of Anil Kumar & Others Vs. M.K. Aiyappa & Anr* reported in (2013) 10 SCC 705.



In view of the above and also considering the law laid down by Hon'ble Supreme Court in case of *Anil Kumar & Others Vs. M.K. Aiyappa & Anr (supra)*, this application is allowed. The F.I.R vide Sakra P.S. Case No. 401 of 2014 arising out of Complaint Case No. 191 of 2012 and all consequential proceedings arising out of aforesaid F.I.R are hereby quashed.

(Sandeep Kumar, J)

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