

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.269 of 2022

Arising Out of PS. Case No.-8 Year-2021 Thana- VIGILANCE District- Patna

Sanjula Tiwari W/o Dhananjay Mani Tiwary Resident of Village- Malviya
Nagar, P.S.- Mahdeva O.P. Siwan, District- Siwan

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Vigilance, Govt. of Bihar, Patna Bihar
2. The Additional Director General of Vigilance Investigation Bureau, Bihar, Patna Bihar
3. The Superintendent of Police Vigilance Investigation Bureau, Bihar, Patna Bihar
4. Sri Kanhaya Lal Deputy Superintendent of Police cum Investigating Officer, Vigilance Investigation Bureau, Muzaffarpur Range, Muzaffarpur, Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Sumit Shekhar Pandey, Adv.
For the Respondent/s : Mr. Arvind Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 11-04-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

This present Cr. Writ Petition has been filed for quashing of F.I.R. bearing Vigilance P.S. Patna Case No.08 of 2021 arising out of Special Case No. 05 of 2021 pending before the Special Judge, Vigilance, North Bihar, Muzaffarpur lodged under Sections 109 and 120B of the IPC read with Section 13(2) and 13(1)(e) of the Prevention and Corruption Act, 1988 (Amended 2016).

Counsel for petitioner submits that the check-up period for the petitioner in this case is 10.11.1993 to 21.02.2021.

Counsel for petitioner submits that petitioner belongs

to a well reputed and rich family having business since her childhood. In this regard, supplementary counter-affidavit showing the detailed earning of the petitioner has also been filed in the Court.

Counsel for Vigilance submits that the investigation is still pending and charge-sheet has not come against the petitioner.

In this background, this Court is directing to the Superintendent of Police Vigilance Investigation Bureau, Bihar, Patna (Respondent No.3) that upon filing petitioner's representation within 4 weeks' from today in the light of Surendra Singh Vs. State of Bihar in Cr. WJC No.153 of 2017 with analogous cases decided on 09.09.2022 particularly, about the expansion of earnings of the petitioner. Respondent No.3 shall consider the same and considering her acceptable earnings take decision in this case relating to filing the report against the petitioner.

With this direction, this Cr. WJC is hereby disposed of.

(Dr. Anshuman, J.)

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