

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**CRIMINAL MISCELLANEOUS No.25563 of 2015**

Arising Out of PS. Case No.-13 Year-2013 Thana- C.B.I CASE District- Patna

Arjun Prasad S/o Late Ram Chandra Prasad @ Ram Chandra Ram, The then Enforcement Sub-Inspector, Patna r/o Ramjeechak, P.O. Bataganj, Digha, P.s. Digha, Distt.- Patna.

... .. Petitioner/s

Versus

The State Of Bihar Through Vigilance

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Hemant Kumar

For the Vigilance : Mr. Anil Singh, Spl. P.P.

**CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR**

**ORAL ORDER**

2      14-02-2023                      Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The order dated 05.03.2015 passed in Special Case No. 14 of 2013 arising out of Vigilance P.S. Case No. 13 of 2013/R-2928 of 14 under Sections 13(1)(e) read with Section 13(2) of the P.C. Act, 1988 by the learned Special Judge-1, Vigilance, Patna, by which the discharge application has been rejected is under challenged in this Court.

Considering the law laid down by the Supreme Court in the case of ***Kanchan Kumar Vs. State of Bihar reported in (2022) 9 SCC 577*** and also considering the law laid down in the Supreme Court in the case of ***State of Bihar Vs. Ramesh Singh reported in 1977 SCC (4) 39***, this application is allowed.

**(Sandeep Kumar, J)**

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