

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23416 of 2022

Arising Out of PS. Case No.-122 Year-2016 Thana- C.B.I CASE District- Muzaffarpur

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RAGNI DEVI Wife of Chandra Bhusan Ojha Resident of village - Khabra,
P.S.- Sadar, Distt.- Muzaffarpur - 842002

... .. Petitioner/s

Versus

1. The State of Bihar through the Director General (Vigilance) of Police, Vigilance Investigation Bureau, Bihar, Patna.
2. The Director General (Vigilance) of Police, Vigilance Investigation Bureau, Bihar, Patna. Bihar
3. The Superintendent of Police-cum-S.H.O. Vigilance P.S., Patna, Bihar. Bihar
4. The Deputy Superintendent of Police (Vigilance Investigation Bureau), Muzaffarpur, Circle, Distt.- Muzaffarpur, Bihar
5. The Police Inspector, Vigilance Investigation Bureau, Muzaffarpur. Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Om Prakash, Adv.
For the Opposite Party/s : Mr.Arvind Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 16-01-2023 Heard learned counsel for the petitioner and the

learned APP for the State.

The petitioner apprehends her arrest in connection with Vigilance (Patna) P.S. Case No. 122 of 2016 instituted under Sections 13(2) and 13(1)(e) of the Prevention of Corruption Act, 1988 and Section 109 and 120(B) of the Indian Penal Code.

The petitioner is wife of Mr. Chandra Bhusan Ojha who was Clerk in the Sadar Hospital, Muzaffarpur and a case of misappropriation was lodged against him. Subsequently, as the



case moved, the lady was also made an accused.

Learned counsel for the petitioner submits that though the matter is of 2016, in view of the fact that the charge sheet stands submitted at later stage against her, this petition has been filed.

Learned counsel for the Vigilance, on the other hand by way of supplementary counter affidavit has brought on record the following statement in para-7 :

That it is important to submit here that in this case charge-sheet has been submitted on 20.10.2020 and no warrant has been issued by the learned Court against this accused petitioner because this case is pending for hearing on the point of cognizance, therefore this accused petitioner has no apprehension of arrest by the police.

Learned counsel for the petitioner who has also been served a copy of the same submits that in view of the categorical submission made by the Vigilance, the petitioner may be permitted to withdraw the petition with liberty to take appropriate steps if situation so arose where she apprehend arrest in the present case.



Taking into account the aforesaid facts as also the statement made by the Vigilance, this Court is inclined to allow the petitioner to withdraw this petition and seek remedy as and when situation arose.

The petition stands disposed of.

(Rajiv Roy, J)

Ravi/ Ajay
Singh/-

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