

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48455 of 2017

Arising Out of PS. Case No.-27 Year-2010 Thana- VIGILANCE District- Patna

Mithilesh Kumar Sinha S/o Late Ram Chandra Prasad, R/o Village-
Makhdumpur, P.S.- Wazirganj, District- Gaya.

... .. Petitioner/s

Versus

1. The State Of Bihar Through Director General, Vigilance, Circular Road, Patna and Ors
2. The I.G. Vigilance, Patna.
3. Birendra Kumar Singh S/o Late Chandradeo Singh, R/o Village- Bhawarah Bhaura, P.S.- Nokha, P.O.- Ghoshia, District- Rohtas Sasaram.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Baxi S.R.P. Sinha, Sr. Advocate
		Mr. Arvind Kumar, Advocate
For the Opposite Party/s :		Mr. Vinod Shankar Modi, Special PP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-11-2023 1. Heard learned Senior counsel for the petitioner and
learned Special P.P. for the Vigilance.

2. The learned Senior counsel for the petitioner, at the
outset, very fairly submits that charges have been framed, trial
has commenced and one witness also has been examined.

3. It is next submitted that the present quashing
application has been filed seeking quashing of the order dated
06.07.2017 passed by the learned Special Judge, Vigilance
(Trap), Patna in Special Case No. 19 of 2010 arising out of
Vigilance P.S. Case No. 27 of 2010 whereby application filed on
behalf of the petitioner under Section 239 of the Cr.P.C. seeking



discharge has been rejected.

4. The learned Special P.P. for the Vigilance opposes the quashing application and submits that since charge have been framed, trial has commenced and one witness has been examined, as such, the Court at this stage should be reluctant in interfering with the order by which discharge application of the petitioner has been rejected.

5. Considering the submission made by the learned Special P.P. for the Vigilance, the Court is not inclined to entertain the quashing application.

6. Accordingly, the present quashing application stands rejected.

(Satyavrat Verma, J)

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