

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5532 of 2017

Arising Out of PS. Case No.-40 Year-2015 Thana- C.B.I CASE District- Patna

Sunil Kumar Son of Late Sri Krishna, Resident of House No. M.I.G.H.-250, Lohiya Nagar, Kankarbagh, Post- Lohiya Nagar, P.O.- Kankarbagh, District- Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar Through Principal Secretary, Home Department, Bihar, Patna.
2. The Additional Director General of Police, Vigilance Investigation Bureau, Govt. of Bihar, Patna, Cabinet Vigilance, Deptt.
3. The Superintendent of Police-cum-S.H.O. Vigilance Police Station, Vigilance Investigation Bureau, Cabinet Vigilance, Deptt., 6 Circular Road, Patna, Bihar.
4. Madan Bihari Singh, son of Late Lalji Singh, Secretary of Lalji Singh, Sudarshan Senior Secondary School, Village- Taranpur, P.O.- Taranpur, P.S.- Gaurichak, District- Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms.Madhuri Lata
For the Opposite Party/s	:	Mr.Suresh Prasad Singh
		Mr. Ramakant Sharma (L.O.Inc.,Vigilance)
		Mr. Arvind Kumar-S.P.P.
		Mr. Anil Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-09-2023 1. Heard learned counsel for the petitioner and learned Special P.P. for the Vigilance.

2. The learned counsel for the petitioner submits that the present quashing application has been filed seeking quashing of the F.I.R. bearing Vigilance P. S. Case No.40 of 2015 dated 20.05.2015 instituted under Sections 7/13(2) read with 13(1)(d) of the Prevention of Corruption Act, 1988 as well as entire proceeding arising therefrom.



3. The learned counsel for the petitioner submits that initially, when the quashing application was filed, two prayers were made for quashing the entire F.I.R. including the order taking cognizance dated 31.07.2015, but defect was pointed out by the office, as such, the prayer with regard to quashing of cognizance was deleted and hence, the quashing application was confined only to quashing of the F.I.R.

4. The learned counsel for the petitioner next submits that till date, stage of the case from the stage of cognizance has not changed.

5. The Court, prima facie, is not inclined to entertain the quashing application.

6. The quashing application is dismissed accordingly.

7. However, the petitioner would be at liberty to raise all issues at the time of framing of charge, if the charges till date have not been framed.

(Satyavrat Verma, J)

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