

Arising Out of PS. Case No.-95 Year-2022 Thana- SARAN COMPLAINT CASE District- Saran

... .. Appellant/s

Versus

... .. Respondent/s

For the Appellant/s : Mr.Harish Kumar
For the Respondent/s : Mr.Sadanand Paswan

2 27-07-2023 1. The present appeal is directed against the order dated 27.04.2023 passed in Complaint Case No. 95 of 2022, by which the Special Court refused to take cognizance against the accused, who are police officers, on the ground that prior sanction has not been taken for prosecution against them.

2. It has been stated by the appellant that bribe was demanded from him in the police station and he was insulted by addressing him by his caste name. The above acts of the accused, in no case, can be said to be official duty, and therefore, in such case prior sanction is not necessary.

3. It has been argued on behalf of the prosecution that the complaint has been filed directly in the Court without completing the formalities mentioned in section 154(3) of the



Code of Criminal Procedure.

4. This Court finds force in the above plea raised on behalf of the prosecution. Accordingly, the appeal is dismissed.

(Arvind Srivastava, J)

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