

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66363 of 2021

Arising Out of PS. Case No.-59 Year-2008 Thana- VIGILANCE District- Patna

DEENANATH DUTTA Son of Shivbachan Ram the then Executive officer,
Nagar Parishad Dighwara, District - Saran, Resident of Village - Saraiya, P.S.
- Goriya Kothi, District - Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The S.P. Vigilance Investigating Bureau, Bihar, Patna. Bihar
3. Sri R.K. Poddar, Dy. S.P. Vigilance Investigation Bureau, 6 Circular Road,
Patna Bihar. Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ayush Kumar
For the Opposite Party/s : Mr.Shantanu Kumar

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

13 11-07-2023 Heard learned counsel for the parties.

This application has been filed for quashing the First Information Report bearing Vigilance P.S. Case No. 059/2008 for the offence under Sections 420, 468, 467, 469, 471, 477A, 409 and 120 B/34 of the Indian Penal Code and Section 13 (ii) read with Section 13 (I) (d) of the Prevention of Corruption Act.

After some arguments, learned counsel for the petitioner is permitted to withdraw this application to raise all the grounds at the stage of framing of charge. If such an application is filed by the petitioner in the district court then the trial judge will decide the same after considering all the grounds



raised by the petitioner in view of the law laid down by Hon'ble Supreme Court in the case of ***Kanchan Kumar vs. State of Bihar (2022) 9 SCC 577*** , the discharge application shall be heard and disposed of expeditiously preferably within two months from its filing. The Vigilance will not delay the case as the FIR is of 2008.

Accordingly, this application is disposed of as withdrawn.

The personal appearance of Dy.SP. Vigilance is hereby dispensed with.

(Sandeep Kumar, J)

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