

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76079 of 2023

In
CRIMINAL MISCELLANEOUS No.61491 of 2023

Arising Out of PS. Case No.-21 Year-2023 Thana- VIGILANCE District- Patna

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Chandrajeet Prakash Son Of Jay Prakash Mehta Resident Of Village- Chausa
Bazar, Ps- Chausa, Distt- Madhepura

... .. Petitioner/s

Versus

The S.P. Vigilance Investigation Bureau, Bihar, Patna Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vipin Kumar Singh

For the Opposite Party/s : Mr.Arvind Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 10-11-2023 The present application has been filed for

modification of the order dated 09.10.2023 passed in

Cr. Misc. No. 61491 of 2023.

It is submitted by learned counsel for the

petitioner that petitioner was granted bail and learned

court below was directed to accept the bail bonds of the

petitioner after framing of the charge, if the charge has

not been framed. It is further submitted that learned

Court below has declined the framing of charge for want

of sanction of prosecution by the appropriate authority.

The petitioner was produced before the Court of learned



Special Judge, Vigilance, North Bihar, Muzaffarpur on 09.10.2023 and case was adjourned to 19.10.2023 awaiting sanction. The petitioner has filed an application before learned Special Judge, Vigilance, North Bihar, Muzaffarpur on 12.10.2023 with a prayer to take cognizance of the offences and to frame charge so that the petitioner would be able to furnish the bail bonds as per the direction of this Hon'ble Court but the Vigilance has filed a rejoinder on 12.10.2023 mentioning therein that neither cognizance can be taken nor charge can be framed in absence of sanction. Hence, there is no possibility that sanction order would come in near future and as such, the petitioner would have to suffer irreparable loss by languishing in custody even in absence of sanction of prosecution. The petitioner is languishing in custody since 20.06.2023.

Learned counsel appearing on behalf of the Vigilance has also stated that as per instruction, charges have not been framed in the matter.



In that view of the matter, let the sentence “after framing of charge, if not framed” as mentioned in paragraph No. 6 of the order dated 09.10.2023 passed in Cr. Misc. No. 61491 of 2023 be deleted and the petitioner is directed to be released on bail.

The order dated 09.10.2023 passed in Cr. Misc. No. 61491 of 2023 stands modified to the extent as indicated above.

(Sunil Kumar Panwar, J)

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