

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1992 of 2023

Arising Out of PS. Case No.-18 Year-2019 Thana- VIGILANCE District- Patna

SURAJ KUMAR SINHA SON OF LATE BADRI PRASAD RESIDENT OF
VILLAGE - PATHAKCHAK, P.S. - HULASGANJ, DISTRICT -
JEHANABAD

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR, THROUGH THE VIGILANCE INVESTIGATION BUREAU, PATNA
2. THE ADDITIONAL DIRECTOR GENERAL, VIGILANCE INVESTIGATION BUREAU, BIHAR, PATNA
3. THE SUPERINTENDENT OF POLICE, VIGILANCE INVESTIGATION BUREAU, BIHAR, PATNA
4. THE DEPUTY SUPERINTENDENT OF POLICE - CUM - OFFICER IN CHARGE, VIGILANCE INVESTIGATION BUREAU BIHAR, PATNA

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar, Adv.
For the Respondent/s : Mr. Arvind Kumar, APP

CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI

ORAL JUDGMENT

Date : 29-02-2024

Heard learned Advocate for the petitioner as well as learned APP for the State.

2. At the stage of supply of copy under Section 207 of the Cr.P.C. to the accused, the dispute cropped up between the prosecution and the defence to the extent that the copies of the documents, seized by the Police during investigation, copies of statements recorded under Section 161 of the Cr.P.C., a copy of audio clip, which has been transcribed and supplied to the



petitioner, have not been supplied in compliance of Section 207 of the Cr.P.C.

3. This has prompted the petitioner to file the instant writ petition for a direction upon the prosecution to supply certain documents, viz.:-

(i) Copy of statement of all witnesses recorded by the Investigating Officer as per Section 161 (3) of the Cr.P.C.

(ii) Copy of general diary/daily diary (Vigilance register) in which complaint was entered and other entries have been made.

(iii) Yellow paper (formation of raiding party).

(iv) Copy of arrest memo.

4. By filing a counter affidavit, it is submitted on behalf of the prosecution that not only the copies of the statements and documents have been supplied to the accused, but the copy of the entire case diary has been supplied to the learned counsel for the accused, in compliance of Section 207 of the Cr.P.C. Therefore, there is no other document, which the prosecution will rely during trial, that has not been supplied to the defence.

5. Having heard the learned Advocate for the petitioner as well as the learned counsel for the Vigilance Investigation Bureau, this Court of the view that apart from a copy of the audio clip all documents have been received by the petitioner in



connection with Vigilance P.S. Case No. 18 of 2019, Special Case No. 16 of 2019.

6. I have already recorded that the petitioner received transcription of an audio clip. The petitioner has the right to verify the transcription with the statement recorded in the audio clip. Therefore, an authenticated copy of the audio clip be supplied to the petitioner by a pen drive, within two weeks from the date of this order.

7. There remains nothing more in the instant writ petition. The instant writ petition is accordingly disposed of with the above direction.

(Bibek Chaudhuri, J)

pravinkumar/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

