

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.901 of 2024

Arising Out of PS. Case No.-462 Year-2019 Thana- BHABHUA District- Kaimur (Bhabua)

Rajani Kant Ojha S/O Late Laxman Ojha Village And P.O.- Chhota Singhanpura, Ps.- Simri, Distt.- Buxar.

... .. Petitioner/s

Versus

1. The State Of Bihar Through The Principal Secretary, Deptt. Of Sc And St Welfare, Govt. Of Bihar Bihar, Patna.
2. The Secretary, Deptt. Of SC and ST Welfare, Govt. Of Bihar, Patna. Bihar, Patna.
3. The Joint Secretary, Deptt. of SC and ST Welfare, Govt. Of Bihar, Patna. Bihar, Patna.
4. The Director, Deptt. of SC and ST Welfare, Govt. Of Bihar, Patna. Bihar, Patna.
5. Manoj Kumar S/O Late Ramchandra Prasad Additional Superintendent Of Police, Vigilance Investigation Beuro, Patna, R/O Vill - Jagdeo Path, P.S. - Rupaspur, Distt. - Patna

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Bipin Bihari Singh
For the Respondent/s : Mr.SC 24

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 17-06-2025 Heard the learned counsel for the petitioner and the learned counsel for the State.

2. This is an application for setting aside the order of sanction for prosecution in connection with Bhabhua P.S. Case No. 462 of 2019 registered for the offence under Sections 467, 468, 471, 419, 420, 205, 193, 219, 120B, 511/34 of the Indian Penal Code.

3. The brief facts of the case are that one Manoj Kumar, Additional Superintendent of Police, Vigilance Investigation Bureau submitted a written report on 26.07.2019



to the Station House Officer, Bhabhua P.S. Bhabhua (Kaimur) alleging therein the complicity of the petitioner and others for involvement in financial irregularities alleged to be committed in execution of Govt. scheme i.e., providing solar light at eight places falling under Mahuari Panchayat and accordingly an F.I.R. was lodged against the petitioner who was then holding the post of Block Development Officer, Kaimur (Bhabhua) bearing P.S. Case No. 462/19 dated 05.08.2019.

4. In the course of the argument, it has been submitted by the learned counsel for the petitioner that the sanction has not properly been accorded by the proper authority.

5. In a case of quashing of FIR, a grant of sanction cannot be examined. From the reading of the FIR, offences are made out against the petitioner.

6. This application is dismissed with liberty to the petitioner to approach this Court at an appropriate stage if charge-sheet is submitted/has been submitted against him. If the investigation is still pending, the petitioner may take steps for challenging the sanction order in an appropriate proceeding by filing an appropriate petition in this Court.

(Sandeep Kumar, J)

Shishir/-

U		T	
---	--	---	--

