

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7315 of 2017

Arising Out of PS.Case No. -55 Year- 2016 Thana -PUPRI District- SITAMARHI

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Shekhar Kumar, Son of Shri Ravi Ranjan Prasad @ Mohan Ji, Resident of
Village- Raj Bagh, Ward No.8, Janakpur Road, P.S.- Pupri, District-
Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate
Mr. Ansul, Advocate

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, Advocate

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

02/ 23-05-2017

Heard learned counsel for the petitioner and
the State.

The present application has been filed for
quashing the First Information Report of Pupri P.S. Case No. 55 of
2016 registered under Section 47(a) of the Excise Act.

Learned counsel for the petitioner submits
that the FIR was registered on 04.04.2016 one day prior to coming
into force of Bihar Excise Amendment Act, 2016. Moreover, the
recovery was made from a licensee liquor shop but maliciously
recovery has shown from the mutton shop of the petitioner
situated in the same premises.

Considering the fact that on conclusion of the



investigation final form (charge sheet) has been submitted, this Court is not inclined to interfere at this stage.

Accordingly, this application is disposed of with liberty to the petitioner to raise all the contentions at appropriate stage of the proceeding.

(Dinesh Kumar Singh, J)

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