

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27059 of 2018

Arising Out of PS.Case No. -33 Year- 2017 Thana -CHANDAN District- BANKA

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Abhishek Saha, S/o Arbind Saha, resident of Village- Kela Bagan, P.S.-
Deoghar, District- Deoghar (Jharkhand).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nitesh Kumar, Advocate.

For the Opposite Party/s : Mr. Umesh Lal Verma, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR
SINGH
ORAL ORDER

2 31-08-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

This application under Section 482 of the Code of Criminal Procedure has been filed by the petitioner for quashing the first information report of Chandan P.S. Case No. 33 of 2017 dated 07.04.2017 registered for the offences punishable under Sections 30 (a), (g) and 33 (2) of Bihar Prohibition and Excise Act, 2016.

I have heard learned counsel for the petitioner and carefully perused the first information report.

From perusal of the first information report, it would appear that the FIR has been instituted on account of the fact that huge quantity of liquor was seized from a vehicle. In the State of



Bihar there is complete prohibition and possession of liquor itself is a punishable offence.

In view of the fact that a cognizance offence is clearly attracted, no fault can be found with the action of the police especially when the FIR has been instituted and investigation is going on.

In that view of the matter, I find no merit in this application. It is accordingly dismissed.

(Ashwani Kumar Singh, J)

Pradeep/Sneha

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