

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71036 of 2018

Arising Out of PS. Case No.-676 Year-2017 Thana- BARACHATTI District- Gaya

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Dipu Choudhary Son of Bhagirath Choudhary Resident of Village-
Bhimchak,P.S. Barachatti,Distt.-Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha
For the Opposite Party/s : Mr.Smt Usha Kumari No-1

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

Date : 12-12-2019

Heard learned counsel for the parties.

This application has been filed for quashing the FIR of
Barachatti P.S. Case No. 676 of 2017 dated 30.10.2017
registered under Sections 30(a)(d), 38 and 47 of the Bihar
Prohibition and Excise (Amendment) Act , 2016.

FIR can be quashed only where from reading of the
contents of FIR, no criminal offence is made out, which cannot
be said to be true in present case as offence under Excise Act is
made out from reading the FIR.

It is contended that after investigation police has
submitted chargesheet against the petitioner, as such I am not
inclined to quash the FIR of Barachatti P.S. Case No. 676 of
2017.



However, petitioner is granted liberty to raise all the issues raised before this Court as well as other points available to him in accordance with law at subsequent stage i.e. at the time of consideration of discharge petition/framing of charge, if not already framed.

With such observation and liberty, this application is disposed of.

(S. Kumar, J)

ranjan/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	14.12.2019
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