

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.1335 of 2019

Arising Out of PS. Case No.-231 Year-2018 Thana- GARDANIBAG District- Patna

-
1. Wu Chuangyong, male, aged about 39 years, Son of Wu @ Waxianguri, Resident of Sichuan, P.S. - Dawu, Distt. - Hubei, China, at present residing at Shalimar Chamber opposite Maulana Abdul Engineering College, Alinagar, P.S. - Anisabad, P.S. - Gardanibagh, Distt. - Patna.
 2. Wu Tiandong, male, aged about 34 years, Son of Wu Guangyao, resident of Zulinwan Xinhua Road Chengguan, P.S. - Dawu, Distt. - Hubei, China, at present residing at Shalimar Chamber opposite Maulana Abdul Engineering College, Alinagar, P.S. - Anisabad, P.S. - Gardanibagh, Distt. - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar thought the Principal Secretary, Home (Police) Department, Govt. of Bihar, Patna.
2. The Director General of Police, Bihar, Patna.
3. The Senior Superintendent of Police, Patna, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Rajesh Ranjan, Adv.
For the State : Md. Nadim Seraj, Adv.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL JUDGMENT

Date : 23-08-2021

Heard Mr. Rajesh Ranjan for the petitioners
and Md. Nadim Seraj for the State.

2. This writ petition has been filed for



quashing of the F.I.R. of Gardanibagh P.S. Case No. 231 of 2018, dated 17.06.2018, which has been instituted for the offence under Section 38(i) (ii) of the Bihar Prohibition and Excise Act, 2016. Section 30(a) of the Bihar Prohibition and Excise Act, 2016 was later added *vide* order dated 28.08.2016.

3. Mr. Rajesh Ranjan, after canvassing about the innocence of the petitioners and their faulty prosecution, has submitted that the investigation has been kept pending for three years by now. He submits that there is no justification for keeping the investigation of this case pending for so long.

4. Md. Nadim Seraj for the State has though replied to the aforesaid writ petition and has expressed the reason why the investigation has yet not been concluded, but submitted that a final decision shall be taken and the investigation shall be concluded within a period of three months, to be counted from today.

5. Based on the aforesaid submission on behalf of the State, this writ petition is disposed off with a



direction to the investigating agency to conclude the investigation within a period of three months from today.

6. If the petitioners feel aggrieved by the report of the police and its acceptance by the Court, the petitioners would be at liberty to take recourse to the appropriate remedies.

7. With the aforesaid observation/direction, the writ petition stands disposed off.

(Ashutosh Kumar, J)

Praveen-II/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	24.08.2021
Transmission Date	24.08.2021

