

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45295 of 2021

Arising Out of PS. Case No.-126 Year-2019 Thana- CHACKMEHSI District- Samastipur

MD SHAHRUKH, Son of Md. Jakir, Resident of Village- Chandauli, P.S.
Waini (O.P.), District- Samastipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Jitendra Kumar Rai, Advocate
For the Opposite Party : Mr. Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 28-04-2022 Heard learned counsel for the petitioner and
learned APP for the State.

Learned counsel for the petitioner is permitted to
remove defect(s), as pointed out by the office, if any, within a
period of four weeks from today.

The present application has been filed for quashing
the order dated 12.04.2021 passed by learned A.D.J.-II-cum-
Special Judge, Excise, Samastipur, in connection with
Chakmeshi P.S. Case No. 126 of 2019 (Reg. No.864 of 2019),
by which the learned Judge has rejected the discharge
application filed by the petitioner.

There is huge recovery of illicit liquor and strong
prima facie case is made out against the petitioner. In these
circumstances, the application for discharge filed by the



petitioner has been rejected by the Court below. At this stage,
this Court will not replace the opinion of the Court below.

Accordingly, this quashing petition stands
dismissed.

(Sandeep Kumar, J)

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