

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1354 of 2017

Arising Out of PS. Case No.-56 Year-2017 Thana- SIKRAUL District- Buxar

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1. Ritesh Kumar Singh, Son of Chandrashekhar Singh,
 2. Vishal Kumar Singh @ Bishal Kumar Singh Son of Late Umesh Kumar Singh,
 3. Ramjee Singh Son of Sanjay Singh All three are R/o Village- Bhadar, P.S.- Sikraul, District- Buxar.

... .. Petitioner/s

Versus

1. The State Of Bihar Through The Principal Secretary, Department Of Excise, Govt. Of Bihar, Patna.
2. The Director General of Police, Bihar, Patna.
3. The Inspector General of Police, Patna Zone, Bihar, Patna.
4. The Deputy Inspector General of Police, Shahabad range, Bihar, Patna.
5. The Superintendent of Police, Buxar.
6. The Officer-In-Charge, P.S.- Sikraul, District- Buxar.
7. The Investigative Officer, P.S.- Sikraul, District- Buxar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Arvind Kumar Pradhan
For the Respondent/s	:	Mr.Vikash Kumar Sc11

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 28-02-2023 Heard the parties.

This is an application for quashing of the F.I.R. lodged against the petitioner in connection with Sikraul P.S. Case No. 56/2017 dated 06.07.2017 of the Bihar Prohibition and Excise Act, 2016.

The short facts of the case is that at about 8.25 hrs. got secret information regarding 1. Ramjee Singh 2. Ritesh Singh and 3. Vishal Singh and two unknown are unloading wine cartoon from a white colour bolero may be caught hold with



wine. It has further been alleged that when police jeep reached on 8.45 hrs. on seeing police jeep Ramjee Singh and Ritesh Singh began to ran, all police team has made efforts to catch them. It has further been alleged that in presence of two independent witnesses all police party has given searches, thereafter said place has been searched in which 495 bottle desi wine each 200 ml. Written H.P. Excise (P) LTD NOHRA DISTT SIRMOUR has been recovered, same has been seized. It has further been alleged that on secretly inquiry from the local persons reveals that Vishal Singh and two other unknown person went after unloading the said bolero and Ramjee Singh and Ritesh Singh was concealing wine in the meantime police came and they fled away. On the above said facts, present FIR has been lodged against the petitioners.

In view of the law laid down by the Supreme Court in the case of **M/s Neeharika Infrastructure Pvt. Ltd. V. State of Maharashtra and others AIR 2021, Supreme Court 1918**, No ground is made for quashing of the F.I.R.

Accordingly, this application is dismissed.

(Sandeep Kumar, J)

Ranjeet/-

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