

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20337 of 2023

Arising Out of PS. Case No.-388 Year-2021 Thana- DIGHA District- Patna

SHUBHAM KUMAR Son of Krishna Roi Resident of village - Kurji
Kothiya, Vikash Nagar, P.S.- Digha, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mr.Jharkhandi Upadhyay

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

5 09-05-2023 Heard learned counsel for petitioner and learned
Additional Public Prosecutor.

This application is filed for quashing the order dated 28.06.2022 passed by Special Judge, Excise, Patna in Special Case No. 4360 of 2021 arising out of Digha P.S. Case No. 388 of 2021 where cognizance of offences under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018 has been taken against the petitioner and others.

It has been submitted by the learned counsel for the petitioner that the father and brother of the petitioner namely, Santosh Kumar were engaged in the liquor trade and the petitioner has nothing to do with the same. It has also been submitted that the petitioner has clean antecedent. He is appearing in the competitive examination and has a bright



career and because of this case, the petitioner’s career will be jeopardized.

Mr. Jharkhandi Upadhyay, learned Additional Public Prosecutor has vehemently opposed the application vehemently.

Considering the circumstances and the fact that the life of the petitioner should not be spoiled because his family members are involved in sale and purchase of liquor, this application is allowed.

The order dated 28.06.2022 passed by Special Judge, Excise, Patna in Special Case No. 4360 of 2021 arising out of Digha P.S. Case No. 388 of 2021 is hereby quashed.

(Sandeep Kumar, J)

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