

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.553 of 2022

Arising Out of PS. Case No.-330 Year-2019 Thana- MANJHI District- Saran

DEEPAK @ DEEPAK KUMAR Son of Krishan Lal Resident of village -
Panihari, P.O.- Sirsa, P.S.- Sirsa Sadar, District - Sirsa, Haryana
... Petitioner

Versus

1. The State of Bihar through the Director General of Police, Bihar, Patna
 2. The Superintendent of Police, Saran at Chapra
 3. The Station House Officer, Manjhi Police Station, Saran at Chapra
- ... Respondents

Appearance :

For the Petitioner : Mr.Dewendra Narayan Singh, Adv.
For the Respondents : Mr. Seo Shankar Prasad, SC VIII

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 27-04-2023 Heard learned counsel for the petitioner and the State.

Counsel for the petitioner has filed the present application for quashing of the first information report of Manjhi P.S. Case No. 330 of 2019, dated 24.10.2019, lodged under Sections 30, 30(a) and 38(i)(ii) of the Bihar Prohibition and Excise Act, 2016.

Counsel for the petitioner submits that he is not named in the first information report rather his name has come in the first information report only-and-only by virtue that the registration of the truck was in his name. Counsel submits that the date of first information report is 24.10.2019 whereas he purchased the truck on 28.11.2018, which he subsequently sold on 13.03.2019. Counsel submits that this matter may be



verified from any angle, the fact shall come true.

In this background, the petitioner is directed to represent before the Superintendent of Police, Saran at Chapra (respondent no. 2) within four weeks from today, who in the light of the order passed by the coordinate Bench in Cr.W.J.C. No. 153 of 2017 (Surendra Singh Vrs. State of Bihar & Ors.) and analogous cases decided on 09.09.2022 shall take appropriate decision and if found that the plea of the petitioner is correct, report under Section 173(2) of the Criminal Procedure Code, 1973, directed to be filed.

Till filing of the report under Section 173(2) of the Criminal Procedure Code, 1973, no coercive action be taken against the petitioner.

With this observation, this criminal writ petition is **disposed off.**

(Dr. Anshuman, J)

Shamshad/-

U		T	
---	--	---	--

