

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7788 of 2018

Arising Out of PS. Case No.-688 Year-2017 Thana- GOVERNMENT OFFICIAL COMP.
District- Jehanabad

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Chauhan Singh @ Chauhan Sharma Son of Ram Sahay Sharma, Resident of
Village- Karpi, Police Station- Karpi, District- Arwal.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arun Kumar, Advocate

For the Opposite Party/s : Mr.Sri Jharkhandi Upadhyay, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 19-01-2023 Heard learned counsel for the petitioner and the State.

The present application is for quashing of FIR bearing
Excise Case No. 688 of 2017 arising out of Karpi (Arwal
Excise) P.R. 8 of 2017-18 under section 30(A) of the Bihar
Prohibition and Excise Act, 2016.

As per the prosecution story, the Excise Officials on
the basis of secret information, raided a house from where 40
litres of country made liquor as well as 22 litres of foreign
liquor was recovered.

In course of investigation, it transpires that Rambilas
Singh, the owner of the house used to let out his rooms and so
far as the ground floor is concerned, it was this petitioner who
took it on rent for doing his business of husk (bhusa) whereas



the father of the petitioner had husk shop in Karpi Market.

Learned counsel for the petitioner submits that he never remained a tenant of said Rambilash Singh and only to escape from the clutches of the law, he named this petitioner as a tenant and dragged him in the FIR.

The learned counsel for the State on the other hand submits that the investigation according to the petitioner is continuing and as such the petition is pre-mature inasmuch as the petitioner has all liberty to prefer appropriate petition before the appropriate police officials to show his innocence.

Taking into account the aforesaid fact as also the statements put forward by the rival parties, this Court is in line with the submission put forward by the learned counsel for the State.

The present petition lacks merit and is accordingly dismissed.

(Rajiv Roy, J)

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