

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.2756 of 2017

Arising Out of PS. Case No.-184 Year-2017 Thana- DIDARGANJ District- Patna

ANIL KUMAR AGARWAL

... .. Petitioner/s

Versus

The State Of Bihar Through The Chief Secretary, Government Of Bihar,
Patna

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Shama Sinha, Advocate
For the Respondent/s : Mr.Vikash Kumar, SC11

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 21-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. This application has been filed for quashing of F.I.R vide Didarganj P.S. Case No. 184 of 2017 registered for the offences under Sections 30(a), 36 of the Bihar Excise (Amendment) Act, 2016.

3. It is alleged that accused persons, namely, Ranjeet Kumar and Vikky Kumar have concealed foreign made liquor in a place covered by boundary wall and there is recovery of 144 litres from the said place.

4. From reading of F.I.R, it appears that none stays on the plot in question and boundary wall has been erected by the petitioner. A person who has purchased some land and the land is lying vacant is not required to guard the same for 24 hours. If some criminals have kept some illicit liquor in the plot in



question owned by the petitioner, for which the petitioner cannot be held liable for the same.

5. The opinion of this Court, no offence is made out against the petitioner and hence, this application is allowed. The F.I.R vide Didarganj P.S. Case No. 184 of 2017 registered for the offences under Sections 30(a), 36 of the Bihar Excise (Amendment) Act, 2016 and all consequential proceedings arising out of aforesaid F.I.R are hereby quashed in the interest of justice.

(Sandeep Kumar, J)

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