

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37005 of 2023

Arising Out of PS. Case No.-416 Year-2016 Thana- FATUA District- Patna

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KAVI RAI @ KAVI JEE @ MUNNA Son of Om Prakash Rai @ Prakash Ray
@ Prakash Chandra Ray Resident of village - Raghapur (West) P.S. -
Jurawanpur, Distt. - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar @Deepak Sahay, Advocate
For the Opposite Party/s : Mr.Arun Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 03-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

This application has been filed for quashing of FIR
vide Fatuha P.S. Case No. 416 of 2016 registered for the
offences under sections 30, 37 and 38 of Bihar Excise
Amendment Act, 2016 which is pending in the Court of learned
Spl. Judge Excise-cum-ADJ-8th. Patna.

The Station House Officer, Fatuah is directed to make
further investigation in the matter and find out the real truth as
to whether the petitioner is involved in the alleged crime or not.
The police will try to catch the main accused namely Munna Ji
@ Kavi Ji and thereafter he will submit the final charge-sheet.

Until and unless the investigation is finally completed,
the trial of the petitioner will not commence. The trial of the



petitioner can commence only after the final charge-sheet against all the accused persons after proper investigation is submitted. After submission of final charge-sheet, the petitioner, if charge-sheeted finally, may file for discharge.

In case the police finds that the petitioner is innocent, they can file final form in favour of the petitioner.

With the aforesaid observation and direction, this application is disposed of.

(Sandeep Kumar, J)

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