

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48603 of 2022**

Arising Out of PS. Case No.-10 Year-2022 Thana- MURAR District- Buxar

MUNNA SINGH @ HARENDRA SINGH Son of Gopal Singh Resident of
Village - Ansari, P.S.- Murar, District - Buxar.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Radha Mohan Singh
For the Opposite Party/s : Mr. Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 21-02-2023 Heard the parties.

This application has been filed for quashing of the order dated 07.07.2022 passed by the learned Special Judge, Exclusive Excise Special Court No. 02, Buxar in connection with CIS – Excise No. 1762 of 2022 (arising out of Murar P.S. Case No. 10 of 2022).

Learned counsel for the petitioner submits that no offence is made-out and he wants this Court to believe the defence of the petitioner.

At the stage of framing of charge *prima facie* case is to be seen and if *prima facie* case is made out then the petitioner cannot be discharged.



In view of the law laid down by the Hon'ble Supreme Court in the case of *Saundra Rasu Vs. State of Karnataka (through the Deputy Superintendent of Police) 2022 (4) PLJR 4 SC*, this application is dismissed.

(Sandeep Kumar, J)

Vikas/Shishir

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