

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1409 of 2022

Arising Out of PS. Case No.-245 Year-2020 Thana- NAUBATPUR District- Patna

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PUTTU KUMAR @ PUTTUS KUMAR S/O SRI RAMASHISH YADAV
Resident of village- Mahua Bagh, P.S.- Parsa, District- Patna ... Petitioner
Versus

1. The State of Bihar through the Principal Sect. Dept. of Excise and Prohibition Govt. of Bihar Patna
 2. The Principal Secretary, Dept. of Home, Govt. of Bihar Patna
 3. The Director General of Police, Bihar Patna
 4. The Inspector General of Police, Patna
 5. The Deputy Inspector General of Police, Patna Range, Patna
 6. The Senior Superintendenet of Police, Patna
 7. Additional Superintendent of Police, Rural, Patna
 8. The Station House Officer, Naubatpur Police Station, Patna ... Respondents
- =====

Appearance :

For the Petitioner : Mr.Manoj Kumar Singh, Adv.
For the Respondents : Mr.Vivek Prasad, Adv.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 05-05-2023 Heard learned counsel for the petitioner and the State.

The present writ petition has been filed for quashing of first information report bearing Naubatpur P.S. Case No. 245 of 2020, dated 17.05.2020, lodged under Sections 30(a), 38 and 41 of the Bihar Excise and Prohibition Act, 2018.

Counsel for the petitioner submits that the petitioner has unnecessarily been named in the first information report. He submits that the place from where the recovery made does not belong to the petitioner rather allegation made in the first information report is false.

Counsel for the State submits that the petitioner is the



renowned person of the locality and he is land broker. His involvement in commission of crime has been identified and it is due to this reason his name has figured in this case.

By virtue of the allegation, this Court is not inclined to quash the first information report, but, liberty is granted to the petitioner that he may represent himself before the Senior Superintendent of Police, Patna (respondent no. 6), 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 within four weeks from today and the petitioner shall support the investigation. If the place from where recovery of excise material does not belong to him, then, he is supposed to help the police that this place belong to which person, being a prudent citizen. The petitioner is directed to help the investigating person in this matter and also provide the document relating to his innocence.

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

(Dr. Anshuman, J)

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