

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74306 of 2019

Arising Out of PS. Case No.-30 Year-2017 Thana- KHANPURA District- Samastipur

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GOPAL THAKUR Son of Manoj Kumar Thakur Resident of Village -
Ratanpur, P.S.- Kamtaul, Distt - Muzaffarpur at present residing at Village -
Tarma Bakhari, P.O.- Mirjapur, P.S.- Ahiyapur, Distt - Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Neeraj Kumar Alias Sanidh

For the Opposite Party/s : Mr. Jharkhandi Upadhyay

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 11-05-2023 Heard learned counsel for petitioner and learned
Additional Public Prosecutor.

This application is filed for quashing of the order dated 23.07.2019 passed by 2nd Additional Session Judge Cum Special Judge Excise Act Samastipur whereby and whereunder learned Judge, was pleased to reject the discharge application filed on behalf of petitioner in relation to Khanpur P.S. Case No. 30/2017 (Trial No. 1412 of 2019) under Section 272, 273, 420, 467, 468, 471 and 120B of the Indian Penal Code along with 30(a), 35(a), 38(i) (ii), 41 (i)(ii), 47 of the Bihar Prohibition and Excise Act, 2016.

The learned counsel for the petitioner submits that a truck in question was recovered in which total 2667 litre of



foreign liquor was recovered and from the house and shop of the petitioner two mobile phone was recovered .

Strong *prima-facie* case is found by the trial Court for proceeding with the trial and dismissing the discharge application. I find no reason to interfere in this matter, this application is dismissed.

(Sandeep Kumar, J)

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