

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19869 of 2023

Arising Out of PS. Case No.-83 Year-2020 Thana- COMPLAINT CASE District- Jamui

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ARBIND KUMAR S/o Late Kedar Nath Singh R/o Mohalla- Janak Singh
Colony, P.S.-Jamui, Distt- Jamui.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shivnandan Singh, Sub Inspector Excise, Jamui Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vipin Kumar

For the Opposite Party/s : Mr.Mohammad Sufyan

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 04-03-2024 This petition has been filed for quashing the order of

cognizance dated 07.02.2022, passed in Tr. No. 896 of 2022

arising out of Complaint Case No.83C2/2020 by the learned

Special Excise Judge-2nd-cum-ADJ-4th, Jamui.

2. Heard counsels for the parties.

3. Learned counsel for the petitioner submits that
petitioner has been made accused in this case only on the
ground that he is registered owner of the vehicle from which
huge amount of illicit foreign liquor has been recovered. He
submits that as a matter of fact, the said vehicle was already
sold to one Lakshman Ram, much prior to the alleged
occurrence. Hence, order of cognizance is bad and is fit to be
quashed.

4. I do not find any error in the order of taking
cognizance. Probable defence of petitioner cannot be



considered at this stage.

5. In view of the aforesaid facts and circumstances,
this petition stands dismissed.

(Prabhat Kumar Singh, J)

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