

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1490 of 2019

Arising Out of PS. Case No.-37 Year-2018 Thana- MANJHI District- Saran

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Anrudh Singh @ Anirudh Singh @ Arun Singh Late Bashistha Singh
Resident of Village- Piprahia, P.S.- Bhagwanpur Hat, District- Siwan.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Anshul, Sr. Advocate Mr. Ayush Abhishek, Advocate Mr. Anirudh Kumar Sinha, Advocate
For the Opposite Party/s :		Mr. Jharkhandi Upadhyay, APP

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

5 27-03-2025 Heard the learned Senior Counsel for the petitioner as well as the learned APP for the State.

2. This is an application for quashing of the order dated 23.04.2018 passed in Manjhi P.S. Case No. 37 of 2018 by which the Court below has taken cognizance against the petitioner and others for the offences punishable under Sections 413, 414 of the Indian Penal Code and Section 30, 30(a) and 38 of the Bihar Excise Act.

3. As per the prosecution case, on 18.02.2018 at 21.40 O' Clock, the informant, S.I. Anuj Kumar Pandey, S.H.O. of Manjhi Police Station received information that illicit liquor has been illegally brining in a truck from Uttar Pradesh to Bihar. On such information, he along with police party went for



verification and on search, a truck bearing registration no. UP37T3038 coming from Balia was stopped whose driver jumped from the vehicle and started running after seeing the police. He was chased and apprehended with the help of police force. On asking, he told his name as Rajesh Kumar. The apprehended driver of the truck disclosed the name of nine persons including the petitioner and said that the seized wine to be distributed amongst them.

3. The petitioner is accused in ten more cases of excise act and the he wants this Court to enter into the facts of the case after holding a mini trial, acquit him.

4. From perusal of the records as well as the impugned order, the Court below has found prima facie case for taking cognizance under Sections 413, 414 of the Indian Penal Code and Section 30, 30(a) and 38 of the Bihar Excise Act and I do not find any ground to interfere in the same.

5. In view of the above, this application is dismissed.

(Sandeep Kumar, J)

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