

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1591 of 2024

Arising Out of PS. Case No.-119 Year-2024 Thana- KESARIA District- East Champaran

Ranjeet Gupta @ Ranjit Kumar Gupta, son of Ganesh Sah, resident of village
- Jiwdhara, P.O. - Jiwdahara, P.S. - Pipra Kothi, District - East Champaran.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Home Department, Govt. Of Bihar, Patna
2. The Principal Secretary, Prohibition Excise And Registration Dept., Govt. Of Bihar, Patna
3. The Director General Of Police, Government Of Bihar, Patna
4. The Inspector General Of Police, Tirhut Division, Muzaffarpur
5. The Deputy General Of Police, Champaran Region, West Champaran at Bettiah
6. The Superintendent Of Police, East Champaran At Motihari
7. The Superintendent Of Police, Gaya
8. The Superintendent Of Police, Aurangabad
9. The Superintendent Of Police, Muzaffarpur
10. The Station House Officer, Muffasil Police Station At Motihari, District- East Champaran
11. The Station House Officer, Pipra Kothi Police Station, District - East Champaran
12. The Station House Officer, Kesariya Police Station, District - East Champaran Bihar
13. The Station House Officer, Motipur Police Station, District - East Champaran
14. The Station House Officer, Amba Police Station, District - Aurangabad Bihar
15. The Station House Officer, Rampur Police Station, District - Gaya Bihar

... .. Respondents

Appearance :

For the Petitioner	:	Mr. Sanjay Singh, Senior Advocate Mr. Karandeep Kumar, Advocate
For the Respondents	:	Mr. Sarvesh Kumar Singh, A.A.G.-13

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 16-06-2025 Heard learned Senior Counsel for the petitioner and

learned counsel for the State.



2. This application has been filed for quashing the F.I.R. vide Keshariya P.S. Case No.119 of 2024 registered for the offence under sections 272/273 of the Indian Penal Code and under section 30(a) of the Bihar Prohibition & Excise Act. Further prayer of the petitioner is to direct the respondent authorities to make proper investigation of (i) Motihari Muffasil P.S. Case No.74 of 2017 (ii) Motipur P.S. Case No.187 of 2021 (District- Muzaffarpur) (iii) Rampur P.S. Case No.234 of 2021 (District- Gaya) (iv) Amba P.S. Case No. 149 of 2021 (District- Aurangabad) (v) Pipra Kothi P.S. Case No.240 of 2021 (District- East Champaran) and (vi) Keshariya P.S. Case No.119 of 2024 (District- East Champaran) for which the wife of the petitioner has filed a representation to the respondent no.2 alleging false implication of the petitioner only on the basis of confessional statement of co-accused. The petitioner also prayed to direct the respondent authorities to protect life and liberty of the petitioner from the false criminal prosecution being lodged one after another without any evidence.

3. As per the F.I.R. the police, upon secret information, intercepted two trucks and apprehend three accused persons. Upon search, about 1687 liters of foreign liquor has been recovered from both the trucks and accordingly, seizure list



was prepared. It has also been alleged that on interrogation, the apprehended accused persons have said that the said liquor is being carried out at the instance of one Chhotu Yadav and upon whose instruction, the alleged liquor was to be delivered to Ranjit Gupta i.e. the petitioner. Accordingly, the F.I.R. vide Keshariya P.S. Case No.119 of 2024 has been registered against the accused persons including the petitioner.

4. The main contention of learned counsel for the petitioner is that the FIR may be quashed considering the defence of the petitioner. However, this Court is of the opinion that the FIR cannot be quashed considering the affidavit evidence and the defence of the petitioner. It is for the Investigating Agency to consider the defence of the petitioner and thereafter submit the final form/charge-sheet in accordance with law.

5. In view of the aforesaid, this application is dismissed with liberty to the petitioner to approach the Superintendents of Police concerned, under whose jurisdiction the different cases are filed, by filing a detailed representations along with the defence of the petitioner. If such representations are filed by the petitioner, the same shall be considered by the concerned Superintendents of Police/Investigating Officers of



the cases and an appropriate final form/charge-sheet shall be
filed by the Police in accordance with law.

(Sandeep Kumar, J)

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