

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16691 of 2024

Arising Out of PS. Case No.-573 Year-2023 Thana- ROSERA District- Samastipur

Shree Ram Sahni @ Sriram Sahni S/o Raj Kumar Sahni @ Rajkumar Sahani
Resident of Village- Chaurgahtiya, Rahua, P.S. Rosera, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhubneshwar Mahto, Advocate

For the Opposite Party/s : Mr.Parmanand Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

2 23-03-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner through this quashing application has challenged the First Information Report bearing Rosera P.S. Case No. 573 of 2023 for offence under Sections 30 (a), 36, 41 and 62 of Bihar Prohibition and Excise Act.

3. As per prosecution case, the police officer has alleged that he received an information that that the petitioner brought a consignment of liquor in a pick up van which was parked on a road and upon such information, he along with the police party reached the place where the van was parked. It is alleged that on seeing the police party, 4-5 persons fled away and from the vehicle altogether 1800 litres of foreign liquor of different brands was recovered and accordingly seizure list was prepared.

4. Learned counsel for the petitioner has submitted that



only a suspicion has been raised. Vehicle does not belong to him and there is no substantive and tangible material against him and the petitioner has also filed several representation before the investigating agency but investigation has not been done.

5. Learned counsel for the State vehemently opposes the prayer of this application.

6. Having considered the facts and circumstances, particularly the fact that the case is under investigation it relates to quashing of F.I.R which is at its nascent stage and there is a suspicion against the petitioner that he may also be involved and as per submission of petitioner he is also earlier made accused in excise case and the case requires thorough investigation in this regard and the veracity of the arguments and the defence of the petitioner may be considered at appropriate stage at least not at the stage of quashing of F.I.R.

7. This application is devoid of merits and is accordingly dismissed.

(Praveen Kumar, J)

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