

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.934 of 2017

Arising Out of PS.Case No. -411 Year- 2016 Thana -SONEPUR District- SARAN

=====

1. Raushan Rai, Son of Gajendra Rai, resident of village - Sabalpur Hasti Tola, P.S. Sonpur, District - Saran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Singh

For the Opposite Party/s : Mr. Sri Nawal Kishore Prasad

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 18-01-2017 Heard learned counsel for the petitioner as well as

learned Addl. Public Prosecutor.

The petitioner prays for anticipatory bail in connection Sonpur PS case no. 411 of 2016 registered for the offence punishable under Section 272, 273/34 of Indian Penal Code and various sections of Bihar Excise (Amendment) Act, 2016.

It is submitted on behalf of petitioner that petitioner has been made accused in this case and though there is allegation against him that he possessed manufacturing article but no any article has been recovered from his possession but the same is recovered from *Ganga diara*.



Heard learned A.P.P. also. Learned A.P.P. has opposed the prayer for bail and submit that after coming into effect the Bihar Excise (Amendment) Act, 2016, jurisdiction of the court for granting anticipatory bail has been barred.

Having heard both sides. Considering the fact that now anticipatory bail has been barred by amendment act, I am not inclined to grant anticipatory bail to the petitioner. As such, his prayer for anticipatory bail rejected. However, he may pray for regular bail before the court below and the court below, after considering the submissions, will dispose of the matter, if possible, on the same day.

With these observations, this bail application is disposed of.

(Vinod Kumar Sinha, J)

rinkee/-

U		T	
---	--	---	--

