

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4360 of 2017

Arising Out of PS.Case No. -159 Year- 2016 Thana -RAJPUR District-
EASTCHAMPARAN(MOTIHARI)

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Manoj Das, S/o Late Tilak Das, R/o Sahbiya, P.S.- Rajepur, Dist- East
Champaran.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No 2

For the Opposite Party/s : Mr. Sri Anuj Kumar Srivastava

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 13-02-2017 This application is for grant of anticipatory bail for

the offences under Sections 272, 273 of the Indian Penal Code and

Section 30(A) and 38 (D) of the Bihar Prohibition Act and Excise

Act, 2016.

Heard learned counsel for the petitioner.

In view of the fact that as per provision of Section
76(2) of Bihar Prohibition and Excise Act, 2016, jurisdiction of
this Court under Section 438 of the Code of Criminal Procedure is
barred and this application is not maintainable.

In view of the above, learned counsel for the
petitioner seeks permission to withdraw this application with
liberty to surrender and make prayer for regular bail in the court
below, which shall be considered by the court below, without



being prejudiced by this order.

This application is dismissed as withdrawn with the liberty aforesaid.

(Vinod Kumar Sinha, J)

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