

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 15153 of 2017

Arising out of P.S. Case No. - 12 Year - 2017 Thana - BIRPUR District - SUPAUL

- =====
1. Nezam @ Md. Nizamu @ Md. Nizam, S/o Basir
 2. Rajjabul @ Md. Rajjabul, S/o Basir, Both are resident of Village Balua Bazar, P.S. - Balua Bazar, District - Supaul

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Bhaskar Shankar, Advocate

For the Opposite Party : Smt. Renuka Ratnakar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

- 2 07-04-2017 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 420, 120B of the Indian Penal Code, Sections 38(1), 41(1)(2) of the Bihar Excise and Prohibition Act, 2016 and Sections 22(a), 23 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

This anticipatory bail application is not maintainable in view of the specific bar under Section 76 of the Bihar Excise and Prohibition Act, 2016.

Hence, it is dismissed as not maintainable in connection with Special Case No. 02 of 2017 arising out of Birpur Police Station Case No. 12 of 2017 pending in the Court of learned Sessions Judge-cum-Special Judge, Supaul/successor



Court.

However, this order shall not prejudice in the event of
surrender of the petitioner and prayer for regular bail.

(Birendra Kumar, J)

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