

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29072 of 2017

Arising Out of PS.Case No. -21 Year- 2017 Thana -BHAIKABASHTHAN District- MADHUBANI

=====

Anil Kumar Jha Son of Harish Chandra Jha @ Harichandra Jha, Resident of
Village- Mehatha, P.S.- Bhairab Ashtan, District- Madhubani.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate

For the Opposite Party/s : Smt. Meena Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 20-07-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

2. Apprehending his arrest in connection with
Bhairab Asthan P.S.Case No. 21 of 2017 registered for the
offences under Sections 290, 272 and 273 of the Indian Penal
Code and 30(a) and 38(i)(ii) of the Bihar Prohibition and Excise
Act, 2016, the petitioner has filed the present application under
Section 438 of the Code of Criminal Procedure for grant of pre-
arrest bail.

3. In view of the provision prescribed under sub-
section (2) of Section 76 of the Bihar Prohibition and Excise Act,
2016, the instant application preferred under Section 438 of the



Code of Criminal Procedure, 1973 is not maintainable.

Accordingly, it is dismissed as not maintainable.

4. It is made clear that this Court has not examined the merits of the case. Hence, in case the petitioner surrenders and seeks bail, the court below shall consider his application on its own merit without being prejudiced in any manner by this order.

(Ashwani Kumar Singh, J.)

Kanchan/-

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

