

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4092 of 2017

Arising Out of PS.Case No. -160 Year- 2016 Thana -DURAULI District- SIWAN

- =====
1. Rama Shankar Ram ,
 2. Balister Ram, Both Son of Ballu Ram, Resident of Village- Bishwania,
P.S. Darauli, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anurag Saurav, Advocate

For the Opposite Party/s : Mr. Dilip Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

5 21-06-2017 The explanation received from the Court-below in
pursuance of the order dated 11.05.2017 is accepted.

Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The Petitioners are apprehending their arrest in
Darauli P.S. Case No.160 of 2016 for the offences punishable
under Sections 272/273/308/420/34 of the Indian Penal Code and
Sections 30(a)/38(i)/41(1) of the Bihar Prohibition and Excise
Act, 2016, pending in the Court of learned Chief Judicial
Magistrate, Siwan.

From the field side liquor was allegedly recovered.
The local Chaukidar reported that the same was of the petitioners
thereafter the house of the petitioner was searched, however,



nothing was recovered.

Submission of learned counsel for the petitioner is that petitioner has got no criminal antecedent and false implication is there merely on suspicion.

The aforesaid is a good ground for consideration of prayer for regular bail. However, this anticipatory bail application is not maintainable in view of the statutory bar under Section 76 of the Bihar Prohibition and Excise Act, 2016. Hence, this application stands dismissed as not maintainable.

(Birendra Kumar, J)

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