

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28744 of 2017

Arising Out of PS.Case No. -92 Year- 2017 Thana -SURYAGARHA District- LAKHISARAI

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1. Subodh Singh @ Subodh Kumar Son of Ramji Kunwar, Resident of
Village-Jagdishpur, P.S.-Surajgarha District-Lakhisarai

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar, Advocate

For the Opposite Party/s : Mr. Satyendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 14-07-2017 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The Petitioner is apprehending his arrest in connection with Surajgarha P.S. Case No.92 of 2017, registered for the offences punishable under Sections 272/273/290 of the Indian Penal Code and Section 30(a)/32(c)/38(d)) of the Bihar Prohibition and Excise Act, 2016, pending in the Court of learned Additional Sessions Judge-II-cum-Special Judge (Excise), Lakhisarai.

According to F.I.R., from the motorcycle of this petitioner liquor was recovered. However, petitioner managed his escape from the spot. Name of the petitioner was disclosed by the people available there.

Considering the presumption of offence against the



petitioner, this application is not maintainable in view of the specific statutory bar under Section 76(2) of the Bihar Prohibition and Excise Act, 2016. Accordingly, it stands dismissed as not maintainable.

Mkr./-

(Birendra Kumar, J)

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