

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25215 of 2017

Arising Out of PS.Case No. -64 Year- 2017 Thana -SARAIYA District- MUZAFFARPUR

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Sanjeev Kumar Son of Ram Nandan Sah @ Ram Nandan Prasad resident of
village - Bahlwara, P.S. - Saraiya, District - Muzaffarpur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ram Naresh Singh, Advocate

For the Opposite Party/s : Sri Akbar Ali, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 01-07-2017 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks pre-arrest bail in connection with
Saraiya P. S. Case No.64 of 2017 registered under Section 35(c)
Bihar Prohibition and Excise Act, 2016.

Regard being had to the recovery of huge quantity of
liquor from the shop of the petitioner and the provision
prescribed under sub-section (2) of Section 76 of Bihar
Prohibition and Excise Act, 2016 which clearly bars
applicability of Section 438 of the Code of Criminal Procedure,
I am not inclined to entertain the present application. It is
dismissed, accordingly.

(Ashwani Kumar Singh, J.)

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