

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32897 of 2017

Arising Out of PS.Case No. -185 Year- 2017 Thana -ARA NAWADA District- BHOJPUR

- =====
1. Ranjeet Paswan, Son of Late Ram Ji Paswan.
 2. Ajagar Paswan alias Ajagar, Son of Chotu Paswan,
- Both residents of Village Shree Tola, P.S. Ara, Nawada, District-
Bhojpur.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Syed Mojibur Rahman, Advocate
For the Opposite Party/s : Smt. Pronati Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

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

2. Apprehending their arrest in connection with Ara
Nawada P.S.Case No. 185 of 2017 (Ex. Case No. 914 of 2017)
registered for the offences under Sections 30(a) and 56(B) of the
Bihar Prohibition and Excise Act, 2016, the petitioners have 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 petitioners surrender and seek bail, the court below shall consider their application on its own merit without being prejudiced in any manner by this order.

(Ashwani Kumar Singh, J.)

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