

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32942 of 2017

Arising Out of PS.Case No. -46 Year- 2017 Thana -KUTUMBA District- AURANGABAD

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Savitri Devi W/o Satyendra Mehta Resident of Village-Risiup Mohan
Bigha, P.S. Risiup District Aurangabad (Bihar) At Present resident at
Vedvyas Brahmanitarang P.s. Brahmnnitarang District Sundergarh (Odisha)

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bindeshwar Prasad Singh, Advocate
For the Opposite Party/s : Smt Sangeeta Sharma, APP

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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 her arrest in connection with
Kutumba P. S. Case No.46 of 2017 registered for the offences
under Sections 30(d) and 33 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 her application on its own merit without being prejudiced in any manner by this order.

(Ashwani Kumar Singh, J.)

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