

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33021 of 2017

Arising Out of PS.Case No. -228 Year- 2016 Thana -RIVILGANJ District- SARAN

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Parshuram Mahto S/o late Mahadev Mahto, Grand Son of Most. Sawariya
Kuwar Resident of Village- Jan tola, P.S. Revilganj, District- Saran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Santosh Chandra Bhaskar, Advocate

For the Opposite Party/s : Mr. Sri Akbar Ali, 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 his arrest in connection with
Revilganj P.S.Case No. 228 of 2016 registered for the offences
under Sections 272 and 273 of the Indian Penal Code and 30 and
37 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 his application on its own merit without being prejudiced in any manner by this order.

(Ashwani Kumar Singh, J)

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