

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4363 of 2017

Arising Out of PS.Case No. -291 Year- 2016 Thana -GOVINDGANJ District-
EASTCHAMPARAN(MOTIHARI)

=====

Suresh Paswan, son of Late Amal Paswan, Resident of Arera, P.S.-
Govindganj, District- East Champaran.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Dhurendra Kumar, Advocate

For the Opposite Party : Mr. Binod Kumar 2, APP

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 13-02-2017 This application is for grant of anticipatory bail for

the offences under Sections 30, 37 and 38 of the Bihar Excise
(Amendment) & Prohibition Act, 2016.

Heard learned counsel for the petitioner.

In view of the fact that as per provision of Section
76(2) of Bihar Prohibition and Excise Act, 2016, jurisdiction of
this Court under Section 438 of the Code of Criminal Procedure is
barred and this application is not maintainable.

In view of the above, learned counsel for the
petitioner seeks permission to withdraw this application with
liberty to surrender and make prayer for regular bail in the court
below, which shall be considered by the court below, without
being prejudiced by this order.



This application is dismissed as withdrawn with the liberty aforesaid.

(Vinod Kumar Sinha, J)

sudip/-

U		T	
---	--	---	--

