

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3798 of 2017

Arising Out of PS.Case No. -262 Year- 2016 Thana -SUGAULI District-
EASTCHAMPARAN(MOTIHARI)

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Amrika Paswan, S/o Rambir Paswan, Resident of Village- Sugaon
Dhangar Toli, P.S. Sugauli, District- East Champarn.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Paswan

For the Opposite Party/s : Mr. Bharat Bhushan

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 17-02-2017 Heard the learned counsel for the petitioner and the

learned APP for the State.

The petitioner is apprehending his arrest in a case
registered under Section 30(a) and 30(d) of the Bihar Prohibition
and Excise Act, 2016.

30 litres of country made mahua liquor was allegedly
recovered from the house of the petitioner on 18.11.2016.

Submission of the learned counsel for the petitioner is
that on the alleged date of recovery, the petitioner was at
Pathankot. Moreover, the name of the petitioner does not appear in
seizure list prepared in this case. There is only presumption
against this petitioner.

This anticipatory bail is not maintainable in view of the
provisions contained in Section 76 of the Bihar Prohibition and
Excise Act, 2016, which came into effect on 2nd November, 2016.

Hence, the anticipatory bail application in connection
with Sugauli P.S. Case No. 262 of 2016 pending in the court of



learned C.J.M., East Champaran (Motihari) stands dismissed as not maintainable.

(Birendra Kumar, J)

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