

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16367 of 2017

Arising Out of PS.Case No. -64 Year- 2016 Thana -KORMA District- SEKHPURA

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1. Birendre Kumar @ Alok Kumar @ Loka S/o Shashi Bhushan Sharma @ Chandra Bhushan Sharma, Resident of village - Abgil, P.S. Korma, District - Sheikhpora

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Devendra Prasad Singh

For the Opposite Party/s : Mr. Sri Umesh Lal Verma

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 08-04-2017 Heard learned counsel for the petitioner as well as learned Addl. Public Prosecutor.

The petitioner prays for anticipatory bail in connection with Korma PS case no. 64 of 2016 registered for the offence punishable under sections 272, 273 of Indian Penal Code and Sections 30, 38, 41 of Bihar Prohibition and Excise Act, 2016.

It is submitted on behalf of petitioner that no case is made out against the petitioner under Bihar Excise Act, as such, he deserves sympathetic consideration.

Heard learned A.P.P. also. Learned A.P.P. has opposed the prayer for bail.

Having heard both sides. In view of the fact that petitioner is named in the FIR and also taking into view Section



76(2) of Bihar Prohibition and Excise Act 2016, I am not inclined to grant anticipatory bail to the petitioner. As such, his prayer for anticipatory bail is rejected at this stage. However, he may surrender before the court below and pray for regular bail and the court below will dispose of the matter on its own merit without being prejudiced by the order of this Court.

With these observations, this bail application is disposed of.

(Vinod Kumar Sinha, J.)

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