

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.74697 of 2018

Arising Out of PS. Case No.-418 Year-2017 Thana- DEEPNAGAR District- Nalanda

Ravindra Yadav, S/o Rupan Yadav, R/o Village- Rangila Bigha, P.S. and Distt- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rewti Kant Raman

For the Opposite Party/s : Mr.Sri Gauri Shankar Gupta

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 21-12-2018 Heard the learned counsel for the parties.

This application for anticipatory bail arises out of Deepnagar P.S. Case No.418 of 2017, disclosing offences under Sections 272,273/34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Section 76(2) of the Bihar Prohibition and Excise Act, 2016, bars application of Section 438 of the Criminal Procedure Code. Based on the allegation made in the First Information Report, a case under Section 30(a) of the Act is made out, in my opinion.

In that view of the matter, this application cannot be maintained and is accordingly, dismissed.

However, the petitioner is directed to surrender before



the Court below within four weeks from today and seek regular bail, if so advised. If he does so, his application for regular bail shall be considered on its own merit without being prejudiced by rejection of the present application for grant of anticipatory bail by this Court.

(Chakradhari Sharan Singh, J)

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