

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.73212 of 2018

Arising Out of PS. Case No.-637 Year-2018 Thana- TURKAULIYA District- East
Champaran

=====

Raj Kumar Sah, Son of Late Prabhu Sah, Resident of Village- Shankar
Saraiya Kaswa Tola, P.S.- Turkauliya, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma
For the Opposite Party/s : Mr.Sri Shyam Bihari Singh

=====

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

2 20-12-2018 Heard learned counsel for the parties.

This application for anticipatory bail arises out of
Turkauliya P.S. Case No. 637 of 2018, disclosing offences under
Sections 272, 273 and 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 Sections 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 seeks 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)

Ashish/-

U			
---	--	--	--

