

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62980 of 2017

Arising Out of PS.Case No. -9 Year- 2017 Thana -KASHICHAK District- NAWADA

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1. Manish Kumar, S/o Mukeshwar Singh, Village- Khakhari, P.S.-
Kashichak, District- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kant

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 10-01-2018 The petitioner has renewed his application for grant of pre-arrest bail in connection with Kashichak P.S.Case No. 09 of 2017 registered under Section 30(a)(d) of the Bihar Prohibition and Excise Act, 2016.

The application filed by the petitioner earlier was rejected by this Court on 01.07.2017 in Cr.Misc. No. 25134 of 2017.

Regard being had to the nature of allegation, it cannot be said that the ingredients of the offence punishable under Section 30(a)(d) of the Bihar Prohibition and Excise Act, 2016 are not attracted. In that view of the matter, taking into consideration the provisions prescribed under sub-section (2) of Section 76 of the Bihar Prohibition and Excise Act, I am of the considered



opinion that the application under Section 438 of the Code of Criminal Procedure would not be maintainable.

Accordingly, the application is dismissed as not maintainable.

(Ashwani Kumar Singh, J)

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