

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.73195 of 2018

Arising Out of PS. Case No.-302 Year-2018 Thana- WARISLIGANJ District- Nawada

Abhishek Ranjan @ Chhote Lal, son of Shyamadhin Singh @ Shyama Dhin
Singh Vidhyarti, resident of village Mafi, P.S. Warisaliganj, Nawada

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar

For the Opposite Party/s : Mr. Sri Awadhesh Kumar Singh

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

ORAL ORDER

2 19-12-2018

Heard learned counsel for the parties.

Th is an application for grant of anticipatory bail on behalf of the petitioner in Warisaliganj P.S. Case No. 302 of 2018 (Excise Case No. 902 of 2018), disclosing offences under Sections 30(a) and 41 of the Bihar Prohibition and Excise Act, 2016.

On the basis of the prosecution report, I find that Sections 76(2) of the Bihar Prohibition and Excise Act, 2016 bars the exercise of power under Section 438 of the Cr. P.C. for grant of anticipatory bail. In such circumstance, this application cannot be maintainable and is accordingly dismissed.

However, the petitioner is directed to surrender in the court below within four weeks from today and seek regular bail,



if so advised. If he does so, the court below shall consider his prayer for regular bail on its own merit, without being prejudiced by the rejection of the present anticipatory bail application.

(Chakradhari Sharan Singh, J)

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