

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53447 of 2018

Arising Out of PS.Case No. -95 Year- 2017 Thana -DHAKA District- EASTCHAMPARAN
(MOTIHARI)

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Alok Thakur @ Alok Kr. Thakur S/o Upendra Thakur, R/o Vill.- Mathiya
Mohan, P.S.- Dhaka, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Adv.

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 05-09-2018 The defect pointed out by the Stamp Reporter is
ignored.

Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner has renewed his application for grant of
pre-arrest bail in connection with Dhaka P.S.Case No. 95 of 2017
registered under Sections 420, 120-B of the Indian Penal Code and
Section 30(a) of the Bihar Prohibition and Excise Act, 2016 (for
short 'the Act').

An application for grant of pre-arrest bail of the
petitioner was earlier rejected by this Court vide order dated
07.07.2017 passed in Cr.Misc. No. 27044 of 2017 on the ground
that in view of the provisions prescribed under sub-section (2) of



Section 76 of the Act an application under Section 438 of the Code of Criminal Procedure is not maintainable in any case involving the arrest of any person on accusation of offence committed under the Act.

From the allegations made in the FIR, I find that the ingredients of the offence punishable under Section 30(a) of the Act are clearly attracted in the present case.

In that view of the matter, no new ground is made out for reconsideration of the application for grant of pre-arrest bail of the petitioner. The application is dismissed.

(Ashwani Kumar Singh, J)

Pradeep/Sneha

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