

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.73244 of 2018

Arising Out of PS. Case No.-175 Year-2018 Thana- KOPA District- Saran

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1. Vikash Singh @ Shasank Singh Son of Ishwar Dayal Singh
 2. Shakchham Singh Son of Shiv Dayal Singh Both Resident of Village- Mazlishpur, P.S. Kopa, Distt.-Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Kumar

For the Opposite Party/s : Dr. Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 20-12-2018 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Kopa P.S. Case No. 175 of 2018, disclosing offence under Sections 30 and 30(a) of 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 and 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 petitioners are directed to surrender before the Court below within four weeks from today and seek regular bail, if so advised. If they do so, their 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)

Pawan/Ragini

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